

# Journal of the House

## FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, January 14, 2010, 11:00 a.m.

The House met pursuant to recess with Speaker O'Neal in the chair.  
The roll was called with 120 members present.  
Rep. Donohoe was excused on verified illness.  
Reps. Kelley, Schwab, Suellentrop and Worley were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Father God,  
In Proverbs You tell us that...  
*When a country is in chaos, everybody has a plan to fix it—  
but a man of understanding and knowledge maintains order.*  
(Proverbs 28:2)  
Although in comparison to other areas  
we may not consider our state in chaos,  
we do recognize and understand that many issues and concerns  
will be presented to this body of leadership.  
Give us Your understanding, knowledge and especially Your wisdom.  
Make us wise as ants — though frail as they are,  
they store up their food in the summer;  
make us wise as marmots — though they are creatures of little power,  
they arrange for rock-solid homes;  
make us wise as locusts — who have no king, yet they advance together in ranks.  
For us to have this wisdom, we need to start with God...  
for the fear of the Lord is the beginning of knowledge...  
The first step in learning is bowing down to God.  
I ask for this today, O Lord,  
in the name of Jesus Christ Your Son, Amen.

The Pledge of Allegiance was led by Rep. McCray-Miller.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2443**, An act relating to the department of transportation; concerning certain signs; amending K.S.A. 2009 Supp. 75-5079 and repealing the existing section, by Committee on Economic Development and Tourism.

**HB 2444**, An act concerning the transfer of the office of state fire marshal to the insurance department; amending K.S.A. 75-1511, 75-1515 and 75-1516 and K.S.A. 2009 Supp. 40-110 and repealing the existing sections; also repealing K.S.A. 2009 Supp. 75-1510, by Committee on Federal and State Affairs.

**HB 2445**, An act concerning land use; relating to military installations and adjacent areas, by Committee on Federal and State Affairs.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2435, HB 2440.**  
 Transportation: **HB 2436, HB 2437, HB 2438, HB 2439, HB 2441.**  
 Transportation and Public Safety Budget: **HB 2442.**

**COMMUNICATIONS FROM STATE OFFICERS**

From Steve Six, Kansas Attorney General, in accordance with K.S.A. 75-723, Kansas Abuse, Neglect & Exploitation Unit, Annual Report, July 1, 2008 - June 30, 2009.

From Steve Irsik, Chair, Kansas Water Authority, 2010 Annual Report to the Governor & Legislature.

From the Kansas Advisory Council on Intergovernmental Relations, in accordance with K.S.A. 12-4002(b), Annual Report which can be found at <http://www.ksrevenue.org/kacir.htm>.

From Kansas State University, Research and Extension, An Informal Report to the Kansas Legislature, January 2010.

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

**REPORTS OF STANDING COMMITTEES**

Committee on **Commerce and Labor** recommends **SB 324** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL No. 324," as follows:

"HOUSE Substitute for SENATE BILL No. 324

By Committee on Commerce and Labor

"AN ACT concerning the Kansas home inspectors professional competence and financial responsibility act; amending K.S.A. 2009 Supp. 58-4505 and 58-4512 and repealing the existing sections."; and the substitute bill be passed.

(**H. Sub. for SB 324** was thereupon introduced and read by title.)

**REPORT OF STANDING COMMITTEE**

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

**Request No. 1**, by Representative Holmes, commending Michael Stejskal on attaining the rank of Eagle Scout;

**Request No. 2**, by Representative Maloney, congratulating Steve Hewitt on receiving the GOVERNING'S 2009 Public Official of the Year Award;

**Request No. 3**, by Representative Pottorff, congratulating the Greater Wichita YMCA on celebrating 125 years;

**Request No. 4**, by Representative Pottorff, congratulating Wichita Collegiate School on winning the Class 3A Football title;

**Request No. 5**, by Representative Pottorff, congratulating Wichita Art Museum on their 75th Anniversary;

**Request No. 6**, by Representative Seiwert, congratulating Darrell Pope for over forty years of continuous service as branch president of the NAACP in the United States;

**Request No. 7**, by Representative Davis, Minority Leader, and the Democratic Caucus, recognizing and commending Representative Don Navinsky on his exemplary service in the Kansas House of Representatives, February 2009 to January 2010;

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.

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

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were thereupon introduced and read by title:

**HB 2446**, An act concerning certain postsecondary educational institutions; relating to investments and gifts; amending K.S.A. 76-308, 76-410a, 76-604 and 76-718a and repealing the existing sections; also repealing K.S.A. 76-347, 76-349, 76-360 and 76-362, by Legislative Educational Planning Committee.

**HB 2447**, An act relating to nursing; concerning advanced practice nursing; amending K.S.A. 65-1113, 65-1114, 65-1118, 65-1120, 65-1122, 65-1130, 65-1131, 65-1133, 65-1154 and 65-1163 and K.S.A. 2009 Supp. 65-1132, 65-1626 and 65-4101 and repealing the existing sections; also repealing K.S.A. 2009 Supp. 65-1626d, by Committee on Health and Human Services.

**HB 2448**, An act concerning the pharmacy act of the state of Kansas; administration of vaccine; amending K.S.A. 2009 Supp. 65-1635a and repealing the existing section, by Committee on Health and Human Services.

**HB 2449**, An act concerning eavesdropping; amending K.S.A. 21-4001 and K.S.A. 2009 Supp. 22-4902 and repealing the existing sections, by Committee on Vision 2020.

**HB 2450**, An act concerning the Beloit juvenile correctional facility; authorizing the secretary of the department of administration to convey a certain tract of real estate for and on behalf of the juvenile justice authority; amending K.S.A. 2009 Supp. 38-2302 and 72-978 and repealing the existing sections; also repealing K.S.A. 76-2201, 76-2202, 76-2219 and 76-2220 and K.S.A. 2009 Supp. 76-2201a, by Representative Aurand.

**HB 2451**, An act concerning controlled substances; related to substances included in schedule I; amending K.S.A. 2009 Supp. 65-4105 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2452**, An act concerning crimes, criminal procedure and punishment; relating to reimbursement by indigent defendants for court services received; amending K.S.A. 21-4610, 22-4507 and 22-4513 and K.S.A. 2009 Supp. 21-4603d and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2453**, An act concerning crimes and punishment; relating to controlled substances; child care facilities; amending K.S.A. 2009 Supp. 21-36a01, 21-36a05, 21-36a10 and 21-36a13 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2454**, An act concerning crimes, punishment and criminal procedure; relating to unlawful use of ballistic resistant material; amending K.S.A. 2009 Supp. 21-4704 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2455**, An act concerning trusts and trustees; relating to the uniform principal and income act; amending K.S.A. 58-9-409 and 58-9-505 and repealing the existing sections, by Committee on Judiciary.

**HB 2456**, An act concerning probate; relating to when a decedent's will and affidavit may be filed; amending K.S.A. 59-618a and repealing the existing section, by Committee on Judiciary.

**HB 2457**, An act concerning hunting; relating to nonresident hunters; amending K.S.A. 32-1006 and K.S.A. 2009 Supp. 32-919 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

**HB 2458**, An act concerning hunting; relating to deer hunting permits; amending K.S.A. 2009 Supp. 32-932 and 32-937 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

**HB 2459**, An act concerning prairie rattlesnakes; abolishing permit requirements; amending K.S.A. 32-941 and K.S.A. 2009 Supp. 32-919 and 32-988 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

On motion of Rep. Merrick, the House adjourned pro forma until 9:00 a.m., Friday, January 15, 2010.

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.

