

Journal of the House

FIFTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, April 30, 2012, 11:00 a.m.

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

The roll was called with 120 members present.

Rep. LeDoux was excused on verified illness.

Reps. Collins, Goico, Mesa and Seiwert were excused on excused absence by the Speaker.

Present later: Rep. Goico.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
Thank You for the weekend—
and for this new week to start afresh.
Your Word says that Your mercies
are new every morning—
we want to avail of these new mercies today.
As we attempt to work together
on several issues that are difficult,
it appears that many of the issues deal with territory—
like district boundaries
or budget appropriations.
We tend to want to claim our territory – our turf.
Help us to realize today, Lord,
that You own it all...
and have loaned it all to us,
for which we are stewards.
Grant us wisdom to know how to do that.
Help us to seek You out and Your solutions.
And as Your Word puts it in Psalm 16:7:
“The wise counsel God gives when I’m awake
is confirmed by my sleeping heart.
Day and night I’ll stick with God...”
Help us all to sleep well tonight
because we followed the wise counsel You gave us today.
In Christ’s Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Garber.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Financial Institutions: **HB 2793**.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **S Sub for HB 2077** and has appointed Senators Teichman, Masterson and A. Schmidt as conferees on the part of the Senate.

Also, the President announced the appointment of Senator Faust-Goudeau as a member of the conference committee on **H Sub for SB 129** to replace Senator Kultala.

On motion of Rep. Siegfried, the House recessed until 11:25 a.m..

LATE MORNING SESSION

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

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Finney, **HR 6029**, A resolution in memory of Representative Jonathan Wells, was adopted.

There being no objection, the following remarks of Reps. Finney and McCray-Miller are spread upon the Journal:

Remarks by Rep. Finney:

Representative Wells was a personal mentor to me and someone I truly respected and admired. He was a very distinguished man and an impeccable dresser.

I first met him when I was in middle school at Allison Junior High where he was the principal. He ran a tight ship and all of the students stood at attention when he spoke. As a child, I seen him as a father figure and often wished that he would become my stepdad, until I found out he was married.

During my last re-election campaign, Representative Wells helped me out tremendously with my campaign. He went door-to-door for me, handed out flyers, put up signs and provided me with a lot of good advice.

I consider him a great person and I will always remember him.

Remarks by Rep. McCray-Miller:

Jonathan "Joe" Wells, Representative Wells was a "man before his time a renaissance man". For those of you that did not have the opportunity to serve with Representative Wells you missed a treat! That also goes for those that did have an opportunity to serve with Representative Wells. I first knew Representative Wells through my father who also served with Mr. Wells in the House and they grew up in and around the same town in Oklahoma. When becoming a teacher I did my pre-service teaching under Mr. Wells

when he was Principal of East High in Wichita, KS. I believe in recognizing a person for their hard work and accomplishments. I'm glad to have the opportunity to do that today regarding Rep. Wells.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, 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 **SB 262; HB 2631**.

CONFERENCE COMMITTEE REPORTS

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 262** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, in line 8, by striking "preference" and inserting "substantial consideration"; following line 10, by inserting "Such evaluation of custody, visitation or residency arrangements shall be stated on the record."; in line 26, by striking "preference" and inserting "substantial consideration"; in line 32, by striking "placement" and inserting "finding";

And your committee on conference recommends the adoption of this report.

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

PETE BRUNGARDT

ROGER P. REITZ

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

On motion of Rep. Kinzer, the conference committee report on **SB 262** was adopted.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebe, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore,

Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Collins, Goico, LeDoux, Mesa, Seiwert.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2631** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee amendments, as follows:

On page 12, following line 20, by inserting:

"Sec. 6. K.S.A. 2011 Supp. 65-1424 is hereby repealed.";

Also on page 12, in line 21, by striking "6." and inserting "7."; also in line 21, by striking "65-1424,;" in line 23, by striking "7." and inserting "8.";

And your committee on conference recommends the adoption of this report.

VICKI SCHMIDT

PETE BRUNGARDT

LAURA KELLY

Conferees on part of Senate

BRENDA K. LANDWEHR

OWEN DONOHOE

GERALDINE FLAHARTY

Conferees on part of House

On motion of Rep. Landwehr, the conference committee report on **HB 2631** was adopted.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Collins, Goico, LeDoux, Mesa, Seiwert.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 356** be passed.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **SB 436** from the Calendar under the heading General Orders and referral to Committee on Health and Human Services.

REPORT ON ENROLLED RESOLUTIONS

HCR 5034; HR 6031 reported correctly enrolled, properly signed on April 30, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Tuesday, May 1, 2012.

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.

