

Journal of the House

SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, January 23, 2008, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Dahl in the chair.
The roll was called with 120 members present.
Rep. Johnson was excused on verified illness.
Rep. Sloan was excused on legislative business.
Reps. George, Kiegerl and Worley were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. David C. Fulton, pastor, St. Paul's Lutheran Church, Wichita, and guest of Rep. Dillmore:

Gracious God,

We gather before you in this place. As we gather we experience the miracle of life. We breathe in the fresh Kansas air in this place of excellence — built for the public good — built for democracy — built as a reminder of our heritage as a pioneer state. A key element of our state, O God, is religious passion — the passion of John Brown, portrayed on the very walls of this statehouse — the passion of Carry Nation who wielded her axe and made her point. Religious passion continues in our state and it seems to generate more heat than light, more division than community. Help us, O God, to build common ground with our religious passion, build common ground for the good of our communities and for our state. God, we call on you to inspire us to let our passion enable us to reach for the stars as we work together through our difficulties. Let legislators be passionate about the public good, strike bargains and set financial priorities for the well being of all. We especially remember our children, Lord, the youth of Kansas who are vulnerable to harm and yet are the great bounty of our state. Let our decisions and our policy always build up the children and youth of Kansas. They are not the future of Kansas, they are — we are Kansas.

We gather and we pray in the power of our religious values. We work for the good of all and lift our hearts to you as we pray. For all that has been we say thanks . . . for all that shall be we say YES!! In the name of all that we hold sacred, let all God's people say — Amen.

The Pledge of Allegiance was led by Rep. Mah.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

HB 2651, An act relating to motor vehicles; concerning salvage vehicles; amending K.S.A. 2007 Supp. 8-197 and repealing the existing section, by Committee on Transportation.

HB 2652, An act establishing the motor vehicle damage appraisal act, by Committee on Transportation.

HB 2653, An act relating to motor vehicles; concerning the handling of repair claims by insurance companies, by Committee on Transportation.

HB 2654, An act relating to real estate brokers and salespersons; concerning certain prohibited acts; amending K.S.A. 2007 Supp. 58-3062 and repealing the existing section, by Committee on Transportation.

HB 2655, An act relating to insurance; concerning unfair claim settlement practices; amending K.S.A. 2007 Supp. 40-2404 and repealing the existing section, by Committee on Transportation.

HB 2656, An act relating to cemetery corporations; authorizing certain cemetery corporations to convey real estate not platted into cemetery lots free from trust restrictions, by Committee on Judiciary.

HB 2657, An act concerning motorboats; relating to exhaust noise requirements; amending K.S.A. 2007 Supp. 32-1120 and repealing the existing section, by Representative Tafanelli.

HB 2658, An act concerning sustainability of certain reservoirs; imposing certain fees and surcharges, by Committee on Agriculture and Natural Resources.

HB 2659, An act designating a portion of United States highway 400 as the atomic veteran's memorial highway; amending K.S.A. 2007 Supp. 68-1022 and repealing the existing section, by Representatives Trimmer and Crum.

HB 2660, An act concerning petroleum products; relating to the payment of fees; amending K.S.A. 55-427 and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2661, An act concerning grain commodity commissions; amending K.S.A. 2007 Supp. 2-3002 and 2-3007 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2662, An act relating to vouchers for tuition and required fees at certain institutions of higher education and excused absences from public school for students who sound "Taps" at a veteran's funeral, by Committee on Veterans, Military and Homeland Security.

HB 2663, An act relating to veterans; amending K.S.A. 73-1211 and K.S.A. 2007 Supp. 73-1210a and repealing the existing sections, by Committee on Veterans, Military and Homeland Security.

HOUSE CONCURRENT RESOLUTION No. 5028—

By Committee on Agriculture and Natural Resources

A CONCURRENT RESOLUTION memorializing the United States Army Corp of Engineers, Bureau of Reclamation and United States Congress to partner with the State of Kansas in order to extend the productive lives of reservoirs in Kansas.

WHEREAS, Kansas reservoirs provide drinking water supplies directly and indirectly to approximately 80 percent of Kansans; and

WHEREAS, Reservoirs were constructed in Kansas by the United States Army Corps of Engineers and the United States Bureau of Reclamation with anticipated productive lives of 50 to 100 years; and

WHEREAS, Many of those reservoirs are approaching 50 years of age; and

WHEREAS, Sediment levels in the reservoirs contribute to the loss of storage capacity for drinking water and drought-prevention purposes, as well as the loss of water quality for drinking water supply purposes and the loss of access to recreational opportunities; and

WHEREAS, It will be less expensive and less technically challenging to address the loss of water storage and increased sediment in each reservoir before such conditions constitute a crisis for the people of Kansas: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Kansas Legislature calls upon the United States Congress, United States Army Corps of Engineers and United States Bureau of Reclamation to form a partnership with the State of Kansas to extend the productive lives of reservoirs; and

Be it further resolved: That members of this partnership shall enter into suitable arrangements with the State of Kansas to jointly develop and implement plans to sustain the reservoirs at empirically derived points (hereafter called sustainability points). A reservoir's sustainability point is the percentage of that reservoir's original capacity that can be recovered and sustained while ensuring that 100 year flood events can be managed, 10 year long

sustained droughts can be managed, drinking water supplies can be sustained for an additional 100 years, and reasonable recreational opportunities are available; and

Be it further resolved: That members of this partnership shall map all reservoirs in Kansas by 2010 to establish sustainability points. The partnership shall also develop plans to sustain each reservoir by 2014; and

Be it further resolved: That members of this partnership shall amend statutory and regulatory requirements and procedures in order to meet the objectives necessary to sustain threatened reservoirs beyond their original design lives; and

Be it further resolved: That the United States Army Corps of Engineers and United States Bureau of Reclamation make pre-eminent the sustainability of existing reservoirs in perpetuity for flood control, drought management, drinking water supplies and reasonable recreational opportunities; and

Be it further resolved: That members of this partnership shall amend statutory and regulatory requirements and procedures to permit payments by the State of Kansas for water storage and the operation and maintenance of existing reservoirs. Other similar payments shall be made directly to the United States Army Corps of Engineers and United States Bureau of Reclamation to fund programs that sustain and rehabilitate reservoirs in Kansas; and

Be it further resolved: That payments made by the State of Kansas to the United States Army Corp of Engineers or United States Bureau of Reclamation to fund reservoir sustainability or rehabilitation, shall constitute payments for its share of operations and maintenance costs and principal and interest on the original contractual obligation; and

Be it further resolved: That members of this partnership shall identify and amend statutory and regulatory prohibitions against the management of reservoirs as systems, rather than individually; and

Be it further resolved: That the Chief Clerk of the House of Representatives send an enrolled copy of this resolution to the Assistant Secretary of the Army (Civil Works), the Commissioner of the Bureau of Reclamation and each member of the Kansas Congressional delegation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Elections and Governmental Organization: **HB 2648**.

Federal and State Affairs: **HB 2649**.

Health and Human Services: **HB 2650**.

On motion of Rep. Merrick, the House adjourned until 11:00 a.m., Thursday, January 24, 2008.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

