

Journal of the House

FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, January 12, 2009, 2:00 p.m.

This being the day fixed by the Constitution of the State of Kansas for the assembling of the 2009 session of the legislature, the House of Representatives was called to order at 2:00 p.m. by Brad Bryant, Deputy Assistant for the Secretary of State.

Prayer by Clint Decker, President and Evangelist, Great Awakenings, Inc., Clay Center, and husband of former Rep. Kathe Decker:

Almighty God, Creator of heaven and earth, you say of yourself, "for I am a great king" (The Bible, Malachi 1:4). It is from your throne in heaven long ago that you instituted the system of human government. Then you said those who served in it were, "servants of God." Father in heaven, as we begin this 2009 legislative session, I pray that these state representatives may be good stewards of the authority and influence that you have entrusted them with. When the temptation comes to surrender to greed, deceit or selfish ambition may they quickly choose the wiser path. May they choose to walk humbly, govern without favoritism or partiality and be an equal voice for all. In addition, I pray for your undeserved mercy and ask for a blanket of divine protection across this state in 2009. Protect us from natural disasters that bring destruction of life and property. Protect us from further economic hardship. Protect us from the violence and crime we see in our neighborhoods. You are our only genuine and lasting hope. May every soul in this chamber and across this state, hear and receive this life-giving hope, the good news of Jesus Christ and may all honor you and your son as the great king you are. In the name of Jesus, I pray, Amen.

The Pledge of Allegiance was led by Rep. Mast.

Deputy Assistant for the Secretary of State Brad Bryant announced the appointment of Susan Kannarr as temporary Chief Clerk of the House.

**OFFICE OF THE GOVERNOR
STATE OF KANSAS
CERTIFICATE OF APPOINTMENT**

I, KATHLEEN SEBELIUS, Governor of the State of Kansas, hereby appoint and commission Patrick Maloney as State Representative, District 116, and authorize this appointee to discharge the duties of this office upon fulfilling all legal requirements.

Signed this 6th day of January, 2009.

KATHLEEN SEBELIUS
Governor

**STATE OF KANSAS
OFFICE OF
SECRETARY OF STATE**

I, RON THORNBURGH, Secretary of State of the State of Kansas, do hereby certify that Patrick Maloney was appointed by the Governor effective January 6, 2009, for the unexpired

term One Hundred Sixteenth District of the House of Representatives, to fill the vacancy created by the resignation of Dennis McKinney.

IN TESTIMONY WHEREOF, I hereunto subscribed my name and caused to be affixed my official seal this 9th day of January, A.D. 2009.

RON THORNBURGH
Secretary of State

**STATE OF KANSAS
OFFICE OF
SECRETARY OF STATE**

I, RON THORNBURGH, Secretary of State, do hereby certify that the following persons were elected members of the House of Representatives of the State of Kansas for a two-year term beginning on the second Monday of January, A.D. 2009.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the city of Topeka this 1st day of December, A.D. 2008.

RON THORNBURGH
Secretary of State

Members of the House of Representatives were then called in blocks of ten, came forward, took and subscribed, or affirmed, to their respective oaths of office, administered to them by Chief Justice Robert Davis, Kansas Supreme Court, as follows:

State of Kansas, County of Shawnee, ss:

We, and each of us, do solemnly swear or affirm, that we will support the constitution of the United States and the constitution of the State of Kansas, so help us God.

<i>District</i>	<i>District</i>
1st — Doug Gatewood	32nd — Louis E. Ruiz
2nd — Robert “Bob” Grant	33rd — Tom Burroughs
3rd — Julie Menghini	34th — Valdenia C. Winn
4th — Shirley J. Palmer	35th — Broderick Henderson
5th — Bill Feuerborn	36th — Margaret Long
6th — Jene Vickrey	37th — Michael J. (Mike) Peterson
7th — Richard J. Proehl	38th — Anthony R. Brown
8th — Jerry D. Williams	39th — Owen Donohoe
9th — Bill Otto	40th — Melanie Sanders Meier
10th — Tony Brown	41st — Marti Crow
11th — Virgil Peck Jr.	42nd — Connie O’Brien
12th — Jeff King	43rd — S. Mike Kiegerl
13th — Forrest Knox	44th — Barbara Ballard
14th — Lance Kinzer	45th — Tom Sloan
15th — Arlen H. Siegfroid	46th — Paul Davis
16th — Gene Rardin	47th — Lee Tafanelli
17th — Jill Quigley	48th — Marvin G. Kleeb
18th — Cindy Neighbor	49th — Scott Schwab
19th — Dolores Furtado	50th — Rocky Fund
20th — Kevin Yoder	51st — Mike Burgess
21st — Kay Wolf	52nd — Lana Gordon
22nd — Lisa Benlon	53rd — Ann E. Mah
23rd — Milack Talia	54th — Joe Patton
24th — Mike Slattery	55th — Annie Kuether
25th — Terrie W. Huntington	56th — Annie Tietze
26th — Rob Olson	57th — Sean Gatewood
27th — Ray Merrick	58th — Harold Lane
28th — Pat Colloton	59th — William R. Prescott,
29th — Sheryl Spalding	60th — Don Hill
30th — Ron Worley	61st — Richard Carlson
31st — Stan Frownfelter	62nd — Steve Lukert

District

63rd — Jerry Henry
 64th — Vern Swanson
 65th — Barbara Craft
 66th — Sydney Carlin
 67th — Tom Hawk
 68th — Tom J. Moxley
 69th — Deena L. Horst
 70th — J. Robert Brookens
 71st — Charlie Roth
 72nd — Marc Rhoades
 73rd — Clark Shultz
 74th — Don Schroeder
 75th — John C. Grange
 76th — Peggy L. Mast
 77th — David Crum
 78th — Ed Trimmer
 79th — Kasha Kelley
 80th — Vincent Wetta
 81st — Peter DeGraaf
 82nd — Don V. Myers
 83rd — Jo Ann Pottorff
 84th — Gail Finney
 85th — Steven Brunk
 86th — Judith Loganbill
 87th — Raj Goyle
 88th — Jim Ward
 89th — Melody McCray-Miller
 90th — Steve Huebert
 91st — Brenda Landwehr
 92nd — Nile Dillmore
 93rd — Dan Kerschen
 94th — Joe McLeland

District

95th — Tom Sawyer
 96th — Phil Hermanson
 97th — Dale A. Swenson
 98th — Geraldine Flaharty
 99th — Aaron Jack
 100th — Mario Goico
 101st — Joe Seiwert
 102nd — Janice L. Pauls
 103rd — Delia Garcia
 104th — Michael R. "Mike" O'Neal
 105th — Jason P. Watkins
 106th — Sharon Schwartz
 107th — Elaine S. Bowers
 108th — Joshua Svaty
 109th — Clay Aurand
 110th — Dan Johnson
 111th — Eber Phelps
 112th — Bill Wolf
 113th — Bob Bethell
 114th — Mitch Holmes
 115th — Melvin J. Neufeld
 116th — Patrick Maloney
 117th — Larry R. Powell
 118th — Don Hineman
 119th — Pat George
 120th — John M. Faber
 121st — Jim Morrison
 122nd — Gary K. Hayzlett
 123rd — Jeff Whitham
 124th — Bill Light
 125th — Carl D. Holmes

Subscribed and sworn to, or affirmed, before me this 12th day of January, 2009.

ROBERT DAVIS

Chief Justice of the Supreme Court

Nominations being in order for speaker, Rep. Peck nominated Rep. Michael O'Neal for Speaker of the House. There being no further nominations, Rep. Davis moved the nominations be closed, and that the temporary clerk be instructed to cast a unanimous ballot for Rep. O'Neal as Speaker of the House of Representatives. The motion prevailed.

Deputy Assistant for the Secretary of State Brad Bryant requested Rep. O'Neal to approach the bar for the oath of office.

Speaker-elect O'Neal subscribed to the following oath of office, which was administered by Chief Justice Davis.

State of Kansas, County of Shawnee, ss:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of Kansas, and faithfully discharge the duties of the office of Speaker of the House of Representatives, so help me God. Subscribed and sworn to before me this 12th day of January, 2009.

ROBERT DAVIS

Chief Justice of the Supreme Court

Speaker O'Neal addressed the following remarks to the members of the House:

As a long time student and admirer of the legislative process, it's such an honor to be given the opportunity to lead this great body for the next term. Thank you. It's hard to believe that this session marks my silver anniversary serving in these hallowed halls. I owe special thanks to my incredible wife, Cindy, whose confidence that I would ultimately succeed in this endeavor never wavered. Thanks too, to our special kids, Haley and Austin, for patiently putting up with their legislative Dad all these years. I began my service here before they were born and they'll graduate from KU before I'm finished here. I hope they're even *half* as proud of me as I am of them.

I don't need to remind anyone here today of the unprecedented challenges we face over the next two years. We're at the height of the physical disruption occasioned by our commitment to restore and preserve our State Capital. At the same time, we're facing a huge and daunting budget deficit that will take all of our collective will, wisdom and resources to resolve. As we begin this new term, we welcome to our legislative family a great class of newly elected members. The election "honeymoon" is over. I'm sure you're eager to get to work! Welcome back, as well, our returning veterans from both sides of the aisle. Thank you all for offering yourselves up for public service. Henry Ford once remarked that: "**Coming together is a beginning. Keeping together is progress. Working together is success.**" So, it's not enough that we have gathered here today and have jointly taken our respective oaths of office. Exciting as today is, it's only a beginning. We must pledge to stay together, through the thick and thin of the session, and, more importantly, work together to achieve what our constituents sent us here to do. If we keep our noses to the grindstone and our eyes on the horizon, we'll get through this challenging time and Kansas will be better for it.

We were duly elected to these House seats, but we don't own them. They are not ours. These are seats we hold in trust. This is the People's House. We are the People's Representatives. We are, without a doubt, a special and select group. After all, we're only 125 of over 2.8 million Kansans who have the unique distinction of serving in this beautiful Chamber. But, don't ever forget; this House was here long before us and will survive long after we're gone. Over 5000 House members have served here since statehood (most days Representatives Pottorff, Carl Holmes, Neufeld and I feel like we've served with at least half of them). So, in the context of Kansas history our time here is pretty short, but make no mistake, what we do here this term will have a profound effect on the future of our great State. Our constituents are counting on us to put our respective differences aside and pull together to right the ship of state. In that regard I look forward to working with Minority Leader Davis, whom I've particularly enjoyed working with on the Judiciary Committee in the past and for whom I have great respect.

It's worth repeating Albert Einstein's famous warning: "**We can't solve problems by using the same kind of thinking we used when we created them.**" We have been burdened with a huge financial challenge. But, on the other hand, we've been handed a *huge* opportunity to *fundamentally* change the way we approach the budget and the financial challenges we face. To that end, we have put together a mix of committees, committee leadership and committee membership that is well suited to attack the problems we face and approach these problems like we never have before. Our constituents, our Kansas taxpayers, are watching us. They're counting on us. They have placed their trust in us to do right by them.

We must get a handle on state spending. We must be fiscally responsible. And, we must put Kansas in the best possible competitive position for future economic growth. Having a system of education second to none will ring hollow if our children choose to leave Kansas for greener pastures elsewhere. Kansas is the best place to live. It must also be the best place to work.

As your leader this term I promise not to lead in a vacuum, nor will I try to micromanage the agenda. Teddy Roosevelt said it best: "**The best executive is one who has sense enough to pick good people to do what he wants done, and self-restraint enough to keep from meddling with them while they do it.**" A wise man has many counselors and I will seek counsel from all corners and from both sides of the aisle. And, as Harry Truman once observed: "**It's amazing what you can accomplish if you do not care who gets the credit.**"

Between the coming together as a body and the working together as a body come civility, collegiality and mutual respect. Make it your resolution for this term to get to know your colleagues personally. With the ones you already know, or think you know, get to know them better. Take time to walk a mile in their shoes. We come from all corners of the state and all walks of life. We bring a host of life and work experiences, both good and bad, to the legislative process. We devote ourselves to this part-time legislature by sacrificing time with our families and at our regular jobs to come to Topeka and do the Peoples' work and then return to our homes and communities to live along side our neighbors with the decisions we made during the session. Respect each other as colleagues of this honorable and noble institution. When we disagree, let's not be disagreeable.

I want everyone in this room to look back on this experience with pride and a sense of satisfaction that, whatever the outcome, you served your constituents and your state with integrity and served alongside fellow colleagues with respect. Some of your greatest memories will be from your days here. Some of your best friends will be made here. Enjoy the experience and, then, pay it forward. We don't have the funds or resources to solve every problem but each of you *does* have the power to make a difference in the lives of those you serve, young and old alike. Embrace the sentiment of Coach John Wooden that: "*You can't live a perfect day without doing something for someone who will never be able to repay you.*"

It's a privilege serving with you and it will be a special honor serving as your Speaker. Thank you again. God Bless you all and God Bless this House.

Speaker O'Neal was presented with the gavel by Deputy Assistant for the Secretary of State Brad Bryant and assumed the chair.

Speaker O'Neal announced the appointment of Susan Kannarr as Chief Clerk and Wayne Owen as Sergeant-at-Arms of the House of Representatives.

Nominations being in order for Speaker pro tem, Rep. Peck nominated Rep. Arlen Siegfried for Speaker pro tem. There being no further nominations, Rep. Ward moved the nominations be closed and that the Chief Clerk be instructed to cast a unanimous ballot for Rep. Siegfried as Speaker pro tem of the House of Representatives. The motion prevailed.

Speaker O'Neal requested Rep. Siegfried to approach the bar for the oath of office which was administered by Chief Justice Davis.

State of Kansas, County of Shawnee, ss:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of Kansas, and faithfully discharge the duties of the office of Speaker pro tem of the House of Representatives, so help me God. Subscribed and sworn to before me this 12th day of January, 2009.

ROBERT DAVIS
Chief Justice of the Supreme Court

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

Mr. Speaker, Majority Leader Merrick, Minority Leader Davis, Assistant Minority Leader Ward and fellow House Members and guests:

I have been a citizen of this great State every minute of my life. I have lived in several of its great counties and believe there are no finer group of people on God's earth than those who populate its varied communities.

Kansans are well educated, loyal, possessed of a powerful sense of justice and endowed with uncommon common sense. Personal responsibility, hard work and integrity are greatly admired. A sense of obligation to the seniors who maintained the foundations we tread upon and vision and responsibility to the young people to whom we will hand the critical mantle of good governance is important to every producing Kansan I have been privileged to meet.

My years in this body have not dimmed the sense of awe which fills me when I look about this hallowed room. I am no less impressed with the august Kansans which populate this body. I am amazed that a poor boy who wandered and played on the dusty streets of Chase county could be entrusted by 22,000 of his fellow Olatheans to represent them here.

I am humbled and honored that my peers would elect me to be their servant in leadership as Speaker Pro Tem.

My strong pledge to you in this body and my fellow Kansans is I will execute the trust you have given me. I will act with integrity, dignity, fairness, courtesy and the grace my Lord and Savior has given to me.

Let us all pledge to serve the people of Kansas; presenting them with a balanced budget which protects the most vulnerable, educates our youth and protects the rights and opportunities of every person. Let us preserve the safety and security of all who believed in us enough to sent us here.

We have greater financial challenges this session than the legislature has faced, perhaps ever. But, I believe in you, the Kansas House of Representatives. You will vigorously study and confront our problems and without regard for who receives the credit, provide solutions and excellent public policy. Then the future of our beloved state will shine brightly for all.

I am excited about working with each of you as we turn this session into an opportunity.

Speaker O'Neal asked for announcements from party caucuses:

Rep. Peck stated the majority (Republican) party had met and elected the following:

- (1) Majority Leader, Representative Ray Merrick
- (2) Assistant Majority Leader, Representative Peggy Mast
- (3) Majority Whip, Representative Rob Olson
- (4) Caucus Chairperson, Representative Virgil Peck, Jr.

Rep. Merrick addressed the following remarks to the members of the House:

Mr. Speaker, Republican Caucus, My Democrat friends across the aisle, and Distinguished Guests:

These are extraordinary times, which call for extraordinary actions. We all know the pains the national economy brings to our doorstep. Kansas needs its people's House to rise to the challenge and protect it from rash, emotional, and reactionary policy.

My job is to lead the Republican majority, but leading means providing realistic solutions.

I will work with all members in the body to find practical answers for the challenges we face. Like working with Representative Ann Mah and our fight to give people the right to have a say in the future of their land, or like Appropriations Chairman Kevin Yoder and our fight to reign in government spending and balance our budget. We must get past our partisan titles to agree on the common good for the health of our state.

As this body's Majority Leader, I will serve first the people of the 27th District, then this caucus, but I will also always serve the best part of Kansas government: the entire body of the people's House.

Friends, our challenge this year is not about restoring the people's confidence in government. For we are *not* the government. We are the people. We collectively represent every individual and their concerns *with* government.

We must have confidence in each other to tell government what it needs to do in order to allow our families, friends, neighbors, and communities to prosper as freedom-loving, self-sacrificing Kansans.

I commend each of you for representing your districts here in these challenging times.

We were chosen by our communities to come here and make a difference, not to continue the status quo. We must rise to the occasion and protect Kansans from devastating tax increases in this recession. Tax increases that are devastating no matter how small or large.

We must stand up and cut spending from all areas of government and look closely at any and all areas of the budget where we can conserve. We cannot blindly protect any area of government with a free pass to continue spending the people's money without efficiency and oversight.

A friend recently sent me the following from the late Dr. Adrian Rodgers. And I quote: "You cannot legislate the poor into freedom by legislating the wealthy out of freedom. What one person receives without working for, another person must work for without receiving. The government cannot give to anybody anything that the government does not just take from somebody else. You cannot multiply wealth by dividing it."

There is a chance our time in this body this year will be forgotten in history. But if we stand up now and listen to the people of this state and do the right thing to protect the little guy, we may make a mark that impacts future generations to follow.

Please join me in committing to make that mark and taking this job as a Representative to mean something more than being a cog in growing Kansas government. Now is our chance to do the right thing. *Together we can put Kansas First.*

I look forward to working with each of you to find realistic solutions for working Kansans. Thank you for the honor of serving as your Majority Leader. Thank you for your support and friendship.

Rep. Ballard stated the minority (Democrat) party had caucused and elected the following officers

- (1) Minority Leader, Representative Paul Davis
- (2) Assistant Minority Leader, Representative Jim Ward
- (3) Minority Whip, Representative Eber Phelps
- (4) Agenda Chairperson, Representative Marti Crow
- (5) Caucus Chairperson, Representative Barbara Ballard
- (6) Policy Chairperson, Cindy Neighbor

Rep. Davis addressed the following remarks to the members of the House:

I first want to acknowledgment a few people who have helped me along *my* journey to this position. First and foremost, I want to thank my colleagues in the House Democratic Caucus for allowing me to serve as their leader. I am truly humbled by the confidence that you have placed in me and I am honored to be able to lead such an outstanding group of public servants.

My family is here with me today. My wife Stephanie, who is probably still wondering what exactly she got herself into when she married me last May. Her parents are also here and have been very gracious in accepting a token Democrat into a family of Republicans. I want to especially acknowledge my parents, who are with us today, and thank them for the many dinnertime political discussions that peaked my interest in public service. And lastly I want to recognize my counterpart in the Senate, Senator Anthony Hensley, who gave me my first exposure to life under the green dome as a legislative intern fourteen years ago.

I want to congratulate Representative O'Neal on his election as Speaker of the House. I know that it has been a long time coming and I wish you all the best in your new role as leader of this body.

Thirty-six years ago a young couple who grew up in Wyoming arrived in Kansas with their 10 day old son to start a new life. They didn't have much money and frankly weren't sure that Kansas was the right place for them. But what they found was quite remarkable.

They found a sense of community that was second to none where neighbors look out for one another. They found great public schools that have allowed children to thrive here ever since they were built in 1800s by Kansas pioneers. They found vibrant universities where young Kansans could chase their dreams and discover their passions. My parents and I, like all of you, have become of the beneficiaries of the legacy that has been left by thousands of Kansans who battled the elements of the prairie, fought in a bloody civil war and established this great state in 1861. They went on to build schools, churches and this great Capitol building which took 37 years to construct (and may take just as long to renovate).

Our state has a heritage that should make everyone proud to be a Kansan. Whether it be Amelia Earhart taking flight across the Atlantic, William Allen White's famed editorials in the Emporia Gazette that were read all across this nation, Clyde Cessna and Walter Beech giving birth the aviation industry or Linda Brown and her family who went all the way to United States Supreme Court to seek justice and end segregated schools, Kansans have been at the forefront of what has made America great.

So now is *our* time to make *our* contribution to the rich history of this state. "For whom much is given, much is expected" it is written in the book of Luke. And what is expected of this Legislature, at this time in history is quite daunting. We face a crumbling economy, a plummeting housing market, increasing unemployment and most significantly for us a

budget that is in crisis. The Chinese use two brush strokes to write the word ‘crisis’. One brush stroke stands for danger, but the other stands for opportunity.

Since the founding of our nation, state legislatures have been able to seize these opportunities and act as solvers of our country’s most serious problems. At the state level, we are able to build coalitions and tap into innovative ideas years before Congress can begin to work through the gridlock.

No matter whom you voted for in the recent presidential election, November 5th of 2008 was a day of historic proportions. In particular I was moved by President-Elect Obama’s call for unity when he said to the masses gathered in Grant Park “Let us resist the temptation to fall back on the same partisanship, pettiness and immaturity that has poisoned our politics for so long. As Lincoln said to a nation far more divided than ours, ‘we are not enemies, but friends . . . though passion may strain us, it must not break our bonds of affection’ ”.

This is not the first time we’ve faced adversity in our state and our nation. Though we will disagree, we must not let those disagreements obstruct the progress we must make in the next 90 days. Within the next few months, we must approve a budget that protects our most vulnerable citizens within our fiscal limitations, we must enact health care reform that actually expands coverage and accessibility, and we must maintain our commitment to the parents and children of Kansas who are counting on us to provide them with a quality education that will allow them to succeed in the 21st century economy.

We will only accomplish these goals if we work together, united by our appreciation for the rich legacy provided to us by those whose footsteps we follow in and our fundamental belief that we can create a better Kansas for our children. I want to leave with the words of a speech that President Kennedy was to deliver in Austin, Texas on November 22nd of 1963. A speech he never got to deliver. “Our duty is not to the preservation of political power, but to the preservation of peace and freedom. So let us not be petty when our cause is so great. Let us not quarrel amongst ourselves when our nation’s future is at stake. Let us stand together with renewed confidence in our cause—united in our heritage of the past and our hopes for the future—and determined that this land we love shall lead all mankind into new frontiers of peace and abundance.

Ad astra per aspera. Thank you.

Speaker O’Neal declared remarks given by the elected leadership hereby ordered spread upon the journal.

The roll was called with 124 members present.

Rep. Gatewood was excused on excused absence by the Speaker. He was sworn in as a member of the House of Representatives by his wife, who is the new Clerk of Cherokee County.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Merrick, **HR 6001**, by Reps. O’Neal and Davis, as follows, was introduced and adopted:

HOUSE RESOLUTION No. 6001—

A RESOLUTION relating to the organization of the House of Representatives.

Be it resolved by the House of Representatives of the State of Kansas: That the Chief Clerk of the House of Representatives notify the Senate that the House is organized with the following officers:

Michael O’Neal, speaker,
 Arlen Siegfried, speaker pro tem,
 Ray Merrick, majority leader,
 Paul Davis, minority leader,
 Susan Kannarr, chief clerk,
 Wayne Owen, sergeant at arms,
 and awaits the pleasure of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Merrick, **HR 6002**, by Reps. O'Neal and Davis, as follows, was introduced and adopted:

HOUSE RESOLUTION No. 6002—

A RESOLUTION relating to assignments of seats of the House of Representatives.

Be it resolved by the House of Representatives of the State of Kansas: That the speaker be assigned seat No. 2; the speaker pro tem be assigned seat No. 1; the majority leader be assigned seat No. 3; the minority leader be assigned seat No. 4; and the remaining members of the house be assigned the following seats: Aurand 79, Ballard 30, Benlon 69, Bethell 121, Bowers 84, Brookens 45, Brown, A. 117, Brown, T. 28, Brunk 81, Burgess 124, Burroughs 6, Carlin 94, Carlson 23, Colloton 86, Craft 41, Crow 13, Crum 39, DeGraaf 111, Dillmore 76, Donohoe 119, Faber 12, Feuerborn 15, Finney 52, Flaharty 93, Frownfelter 58, Fund 60, Furtado 88, Garcia 29, Gatewood, D. 55, Gatewood, S. 48, George 107, Goico 62, Gordon 43, Goyle 91, Grange 40, Grant 36, Hawk 50, Hayzlett 24, Henderson 73, Henry 18, Hermanson 98, Hill 64, Hineman 61, Holmes, C. 118, Holmes, M. 19, Horst 27, Huebert 47, Huntington 25, Jack 100, Johnson 122, Kelley 114, Kerschen 38, Kiegerl 80, King 125, Kinzer 9, Kleeb 82, Knox 123, Kuether 49, Landwehr 77, Lane 74, Light 66, Loganbill 51, Long 96, Lukert 57, Mah 70, Mast 113, McKinney 56, McLeland 42, Meier 92, Menghini 72, Miller 34, Morrison 120, Moxley 26, Myers 37, Neighbor 68, Neufeld 116, O'Brien 78, Olson 112, Otto 85, Palmer 32, Patton 21, Pauls 17, Peck 63, Peterson 16, Phelps 31, Pottorff 67, Powell 11, Prescott 20, Proehl 59, Quigley 110, Rardin 35, Rhoades 97, Roth 104, Ruiz 89, Sawyer 14, Schroeder 83, Schwab 103, Schwartz 65, Seiwert 22, Shultz 10, Slattery 90, Sloan 115, Spalding 106, Svaty 75, Swanson 99, Swenson 105, Tafanelli 44, Talia 95, Tietze 87, Trimmer 54, Vickrey 101, Ward 5, Watkins 8, Wetta 53, Whitham 46, Williams 33, Winn 71, Wolf, B. 109, Wolf, K. 108, Worley 102, Yoder 7.

The first three seats north of the center aisle in the last row are reserved for the sergeants at arms.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Merrick, **HR 6003**, by Reps. O'Neal and Davis, as follows, was introduced and adopted:

HOUSE RESOLUTION No. 6003—

A RESOLUTION relating to the rules of the House of Representatives for the 2009-2010 biennium.

Be it resolved by the House of Representatives of the State of Kansas: That except as otherwise hereinafter provided, the rules of the House of Representatives for the 2007-2008 biennium in effect at the time of adjournment sine die of the 2008 regular session of the legislature shall constitute the temporary rules of the House of Representatives for the 2009 regular session until permanent rules are adopted; and

Be it further resolved: That Rule 1101 of the 2007-2008 biennium shall be replaced by the following Rule 1101 which shall constitute a temporary rule of the House of Representatives for the 2009 regular session until permanent rules are adopted:

Rule 1101. Standing Committees; Names and Members. (a) The standing committees of the House shall be the following and have the number of members indicated for each:

1. Aging and Long-term Care	13
2. Agriculture and Natural Resources	19
3. Appropriations	23
4. Calendar and Printing	7
5. Commerce and Labor	19
6. Corrections and Juvenile Justice	11
7. Economic Development and Tourism	13
8. Education	19
9. Elections	11
10. Energy and Utilities	21

11. Federal and State Affairs	21
12. Financial Institutions	13
13. Government Efficiency and Fiscal Oversight	15
14. Health and Human Services	19
15. Higher Education	11
16. Insurance	13
17. Interstate Cooperation	7
18. Judiciary	19
19. Local Government	11
20. Rules and Journal	5
21. Taxation	23
22. Transportation	19
23. Veterans, Military and Homeland Security	15
24. Vision 2020	15

(b) The house standing committee on economic development and tourism shall constitute the successor committee to the house standing committee on tourism and the house standing committee on tourism and parks for purposes of references in statutory or other documents. The house standing committee on economic development and tourism shall constitute the successor committee to the house standing committee on economic development and the the house standing committee on new economy for purposes of references in statutory or other documents. The house standing committee on agriculture and natural resources shall constitute the successor committee to the house standing committee on environment for purposes of references in statutory or other documents. The house standing committee on insurance and the house standing committee on financial institutions shall constitute the successor committees to the house standing committee on insurance and financial institutions for purposes of references in statutory or other documents.

Be it further resolved: That Rule 1105 of the 2007-2008 biennium shall be replaced by the following rule 1105 which shall constitute a temporary rule of the House of Representatives for the 2009 regular session until permanent rules are adopted:

Rule 1105. Budget Committees. (a) There is hereby created the following budget committees of the committee on appropriations which shall have the number of members indicated for each:

1. Agriculture and natural resources budget committee	9
2. Education budget committee	8
3. General government budget committee	9
4. Legislative budget committee	8
5. Social services budget committee	8
6. Transportation and public safety budget committee	8

(b) Members of the budget committees are not required to be members of the committee on appropriations. The Speaker shall designate the number of members of each budget committee who are not members of the committee on appropriations and shall appoint the members of each budget committee who are not members of the committee on appropriations. The chairperson of the committee on appropriations shall appoint the members of each budget committee who are members of the committee on appropriations. The Speaker shall appoint the chairperson of each budget committee. The Speaker may remove or replace at any time any budget committee chairperson or any member of such committee appointed by the Speaker.

(c) Budget committees shall be advisory to and make recommendations to the committee on appropriations. Budget committees are authorized to introduce bills or resolutions, except that budget committees are not authorized to introduce bills containing one or more items of appropriation. Except as otherwise provided in this rule, budget committees shall be deemed to be standing committees under the rules of the House of Representatives.

(d) Budget committee meetings are subject to the Kansas open meetings act, K.S.A. 75-4317a *et seq.*, and amendments thereto.

Be it further resolved: That Rule 1701 of the 2007-2008 biennium shall be replaced by the following rule 1701 which shall constitute a temporary rule of the House of Representatives for the 2009 regular session until permanent rules are adopted:

Rule 1701. Requesting the Floor. Any member desiring to request the floor shall press the member's "speak bill" button, and shall not proceed until recognized by the chair.

Be it further resolved: That Rule 1906 of the 2007-2008 biennium shall be replaced by the following rule 1906 which shall constitute a temporary rule of the House of Representatives for the 2009 regular session until permanent rules are adopted:

Rule 1906. Requesting the Floor. Any member desiring to request the floor shall press such member's "speak bill" button to speak on a bill or offer an amendment and "speak amendment" button to speak on a pending amendment, and shall not proceed until recognized by the chairperson of the committee of the whole.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following prefiled bills were introduced and read by title:

HB 2001, An act concerning school districts; relating to school finance; amending K.S.A. 2008 Supp. 72-6407 and repealing the existing section, by Representative Henry.

HB 2002, An act concerning school districts; relating to school finance; amending K.S.A. 2008 Supp. 72-6448 and repealing the existing section, by Legislative Educational Planning Committee.

HB 2003, An act concerning postsecondary education; relating to technical education; amending K.S.A. 71-1507, 72-4408, 72-4411, 72-4412, 72-4413, 72-4414, 72-4415, 72-4418, 72-4421, 72-4422, 72-4423, 72-4425, 72-4430, 72-4431, 72-4433, 72-4466, 72-4467, 72-4471 and 74-32,141 and K.S.A. 2008 Supp. 72-4427, 72-4450, 72-4451, 72-4452, 72-4470a, 72-4482 and 74-3201b and repealing the existing sections; also repealing K.S.A. 72-4416, 72-4429, 72-4438, 72-4439, 72-4444, 72-4445, 72-4446, 72-4447, 72-4448, 72-4449, 74-3205a, 74-3205b and 74-3205c and K.S.A. 2008 Supp. 72-4436, 72-4437 and 72-4470, by Legislative Educational Planning Committee.

HB 2004, An act concerning retirement plans for certain employees of the state board of regents; amending K.S.A. 2008 Supp. 74-4925 and repealing the existing section, by Legislative Educational Planning Committee.

HB 2005, An act concerning the Kansas universal service fund; relating to KAN-ED funding; amending K.S.A. 2008 Supp. 66-2010 and repealing the existing section, by Legislative Educational Planning Committee.

HB 2006, An act concerning the recruitment of personnel by state educational institutions; relating to moving expenses; amending K.S.A. 2008 Supp. 76-727 and repealing the existing section, by Legislative Educational Planning Committee.

HB 2007, An act concerning state educational institutions; relating to fees and tuition; amending K.S.A. 2008 Supp. 76-719c and repealing the existing section, by Legislative Educational Planning Committee.

HB 2008, An act enacting the school medication aide act; amending K.S.A. 2008 Supp. 65-1124 and 65-2872 and repealing the existing sections, by Legislative Educational Planning Committee.

HB 2009, An act concerning electric utilities; relating to certain property tax exemptions; providing exceptions; amending K.S.A. 2008 Supp. 79-259 and repealing the existing section, by Representative Gatewood.

HB 2010, An act concerning state board of healing arts; relating to storage, maintenance and transfer of medical record; creating medical record maintenance trust fund; amending K.S.A. 2008 Supp. 65-2809, 65-2837 and 65-28,128 and repealing the existing sections, by Representative Kiegerl.

HB 2011, An act concerning abortion; amending K.S.A. 65-445 and 65-6703 and repealing the existing sections, by Representative Siegfried.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following prefiled bills were referred to committees as indicated:

Education: **HB 2001, HB 2002, HB 2005, HB 2008.**

Health and Human Services: **HB 2010, HB 2011.**
 Higher Education: **HB 2003, HB 2004, HB 2006, HB 2007.**
 Taxation: **HB 2009.**

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Merrick, **HCR 5001**, by Reps. O'Neal and Davis, as follows, was introduced and adopted.

HOUSE CONCURRENT RESOLUTION No. 5001—

A CONCURRENT RESOLUTION relating to a committee to inform the governor that the two houses of the legislature are duly organized and ready to receive communications.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the governor, and inform the governor that the two houses of the legislature are duly organized and are ready to receive any communications the governor may have to present.

In accordance with **HCR 5001**, Speaker O'Neal appointed Reps. C. Holmes, Pottorff and Loganbill to wait upon the Governor.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Merrick, **HCR 5002**, by Reps. O'Neal and Davis, as follows, was introduced and adopted.

HOUSE CONCURRENT RESOLUTION No. 5002—

A CONCURRENT RESOLUTION providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Senate and the House of Representatives meet in joint session in Representative Hall at 7:00 p.m. on January 12, 2009, for the purpose of hearing the message of the Governor.

Be it further resolved: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Governor.

Be it further resolved: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Lieutenant Governor.

In accordance with **HCR 5002**, Speaker O'Neal appointed Reps. C. Holmes, Pottorff and Winn to escort the Governor; Reps. Neufeld, Hayzlett and Sawyer to escort the Lieutenant Governor; Reps. Kinzer, Colloton and Peterson to escort the Supreme Court; Reps. Myers, Vickrey and Carlin to escort the Senate.

MESSAGE FROM THE SENATE

Announcing adoption of **SR 1801**, a resolution relating to the organization of the 2009 Senate and selection of the following officers:

Steve Morris, President,
 John Vratil, Vice President,
 Derek Schmidt, Majority Leader,
 Anthony Hensley, Minority Leader,
 Pat Saville, Secretary,
 Jody Kirkwood, Sergeant-at-Arms,
 and awaits the pleasure of the House of Representatives.

INTRODUCTION OF GUESTS

Speaker O'Neal introduced Dr. Terry Lee Mills, President of the Kansas Association of Family Physicians. Dr. Mills is a graduate of the University of Oklahoma College of Medicine, and completed his family practice residency at McLennan County Medical Education and Research Foundation in Waco, TX. Dr. Mills practices at Wichita Clinic, Bethel in

Newton and is Chief of the Department of Family Practice. He is a Major in the Medical Corp for the United States Army Reserves. Dr. Mills is married to Dianna Mills. They have three sons, Mathew, Mark and Micha.

The association sponsors the Doctor of the Day program and provides daily assistance for health concerns of those serving the Statehouse during the session. We appreciate this program and the efforts of Dr. Mills and the other doctors serving us each day. Thank you again for providing this service.

COMMUNICATIONS FROM STATE OFFICERS

Dear Mr. Speaker:

This letter is to advise you that the Office of Chief Clerk has received the following communications during the interim since adjournment of the 2008 Regular Session of the Legislature:

From the Kansas Insurance Department, in accordance with K.S.A. 46-1212c, the 2007 Annual Report.

From Buck Consultants, the Actuarial Review Report for Kansas Public Employees Retirement System.

From Molly McGovern, Administrator for the Bi-State Commission, the 2007 Annual Report and Comprehensive Annual Financial Report for the Kansas and Missouri Metropolitan Culture District Commission.

From Bob Page, President and Chief Executive Officer of The University of Kansas Hospital Authority, the Operating and Financial Statement for Fiscal Year 2008.

From Juliene Maska, Administrator, Governor's Grant Program, the 2009 Wireless Enhanced 911 Annual Report.

From Stephen N. Six, Attorney General, the 2008 statistical report of concealed carry licenses issued, revoked, suspended, and denied.

From Glenn Deck, Executive Director of Kansas Public Employees Retirement System, the Annual Report for the fiscal year ending June 30, 2008.

From Stephen N. Six, the 2007 Annual Report of the Consumer Protection and Antitrust Division.

From Lynn Jenkins, State Treasurer, the 2008 Fiscal Year Report to the Kansas Legislature.

From Elizabeth B.A. Miller, Director of Investments, the Annual Report of the Pooled Money Investment Board for Fiscal Year 2008.

From the Office of Governor Kathleen Sebelius:

Executive Order No.08-06, reformulating the composition and purpose of the Kansas Energy Council.

Executive Directive No. 08-388, Authorizing Personnel Transactions and Expenditures of Federal Funds.

Executive Directive No. 08-389, Authorizing of Federal Funds.

Executive Directive No. 08-390, Authorizing Expenditure of Federal Funds.

Executive Directive No. 08-391, Authorizing Personnel Transactions.

Executive Directive No. 08-392, Authorizing Personnel Transactions.

Executive Directive No. 08-393, Authorizing Expenditure of Federal Funds.

Executive Directive No. 08-394, Authorizing Expenditure of Federal Funds.

Also, from Robert E. Blecha, Director, Kansas Bureau of Investigation, in compliance with K.S.A. 60-4117, report regarding the status of the KBI State Forfeiture Fund.

From Roger Werholtz, Secretary, Kansas Department of Corrections, pursuant to K.S.A. 75-52,112, report on the Kansas Community Corrections Statewide Risk Reduction Initiative.

From Doug Louis, Director, Conservation Division, Kansas Corporation Commission, Abandoned Oil & Gas Well Remediation Site Status Report.

From Helen Pedigo, Executive Director, Kansas Sentencing Commission, 2009 Report to the Legislature.

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

On motion of Rep. Merrick, the House recessed until 6:30 p.m.

EVENING SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.
Rep. Gatewood was present for the evening session.

It being the hour in accordance with **HCR 5002** to meet in joint session with the Senate to hear the message of the Governor, Reps. Myers, Vickrey and Carlin escorted members of the Senate to seats in the House.

Reps. Kinzer, Colloton and Svaty and Senators Donovan and Haley escorted the Supreme Court to seats in the House.

Reps. Neufeld, Hayzlett and Sawyer and Senators Huelskamp and Kultala escorted the Lieutenant Governor to a seat in the House.

Reps. C. Holmes, Pottorff and Winn and Senators Taddiken and Faust-Goudeau escorted the Governor to the rostrum.

GOVERNOR KATHLEEN SEBELIUS' COMPLETE TEST OF THE STATE OF THE STATE January 12, 2009

Mr. Speaker, Mr. President, Mr. Chief Justice, legislators, justices, cabinet officers, elected officials, leaders of Indian nations, honored guests, and my fellow Kansans.

Good evening.

As we gather again to assess the state of our State, I want to welcome the new members of the House and Senate and our new House leadership. On behalf of all Kansans, I thank you for your willingness to run for office and serve during a difficult time in our history, pledging to put people before partisanship. I look forward to working with all of you to meet our challenges and secure our future.

And I welcome back the returning members of the Kansas legislature. I look forward to working with you once again. Many of you know better than anyone the challenges before us and that heavy burdens can be lifted when all of our hands lift together.

Since we met for the state of the State last year, we have two new State officials. Attorney General Steve Six is with us tonight, and I want to once again thank him for his willingness to leave the bench and serve as the Attorney General for Kansas.

Also with us is our new State Treasurer Dennis McKinney, sworn in just one week ago. Dennis while you'll be greatly missed in the House, we thank you for taking on new responsibilities as you continue to serve Kansas.

Our new Chief Justice, Bob Davis, is here tonight and Chief we wish you well in your leadership role in the Supreme Court. Over the last 3 decades, Justice Kay McFarland served on the Kansas Supreme Court. Her leadership as Chief was historic and heroic, leading the Court during some very contentious times.

On behalf of all Kansans, who are the beneficiaries of her extraordinary service, I want to thank former Chief Justice Kay McFarland, who unfortunately could not be with us tonight.

And while we are recognizing long service to the state of Kansas, I want to acknowledge the three leaders of great Kansas universities who will retire at the end of this academic year: Kansas State University President Jon Wefald, University of Kansas Chancellor Robert Hemenway, and Pittsburg State University President Tom Bryant.

Our universities are one of our State's greatest assets. By educating young Kansans they promote generational change and contribute to the knowledge economy that will move

Kansas forward. We thank these three leaders for their tireless dedication and considerable contributions to the State.

Everyone I recognized tonight shares one thing. They've all made difficult decisions to benefit our State and its citizens. In fact, the history of Kansas is a series of difficult decisions made by many other humble men and women who served the greater good: Would we be a free or a slave state? How would we put people back to work during the Great Depression? How would we aid the war effort during the two World Wars? How would we preserve our agricultural sector during the farm crisis of the 1980s? And, more recently, how would we provide quality education for our children while protecting our most vulnerable citizens?

The common thread that has enabled Kansans to answer those challenges and succeed is found in the quality and character of our people and our public servants. In meeting past challenges Kansans took care to provide the foundation for the good years. After each difficult period, there were good and prosperous times. And there will be again. In fact, tonight we can mark the beginning of the path toward better days.

The state of our State is not defined by ending balances or revenue receipts. It's about the quality and character of the Kansas people. And I'm proud to report that, in that regard, the state of our State has never been stronger.

We meet tonight at a time when a recession has hit every state, every community, and every American. We're experiencing a shared struggle that requires us to develop shared solutions.

The steps we take now will help us survive this economic crisis and create the foundation to move us ahead. Let us come together, as we have in the past, to find common ground and to work for the common good.

Our focus tonight and over the next 90 legislative days should be on the people we serve: our priorities to educate our children, to provide for public safety and protect health services for our neediest citizens, to spur economic recovery and job growth, to build the infrastructure to move our goods and workers from product to market, and to encourage innovation and research as the core elements of a knowledge economy.

The revised 2009 and the proposed 2010 budgets will be covered in detail beginning tomorrow and in the weeks to come. I'll present to the legislature budgets that balance, without proposing new taxes on our citizens, who are already struggling to make ends meet.

Ultimately, the role of government is to use our collective resources to do what individuals cannot do alone. We must look to the future and determine what strategic investments we can make to give Kansans the tools they need to prosper in the 21st Century.

In an economic downturn, decisions can have dire consequences and a lifetime impact on future generations. No student can afford to 'miss' a few years of quality education. No Kansan can be denied lifesaving care while waiting for the economy to improve.

Even in a time of shortfalls, we do have resources. Our treasury is stronger than many other states. We have a trained and able workforce. And we are still, proudly, this nation's breadbasket. So when we ask ourselves if government has a positive contribution to make through wise use of these resources, the answer to that question is a resounding "yes."

In all of our endeavors, we recognize that jobs and capital are best expanded in the private sector. But without resources and workers from government, the massive undertakings needed to promote the common good would likely fail.

When we faced the challenge of under funded schools, it was made clear in the courtroom, in the boardroom, and in the classroom that new investments had to be made. And we shared the work of finding a solution.

We invested millions in our schools, our students, our teachers, and our future. And even now, looking through the lens of today's economy, that investment was worth it and worth keeping.

Six years ago we developed shared solutions when our prisons were crowded, beds were full and staffing was short. We were faced with spending millions of dollars on new prisons to house the expanding population.

Instead, we developed bipartisan legislation that resulted in treatment programs for non-violent drug offenders and innovative and collaborative release efforts for inmates returning to their communities. So today we have fewer inmates, less crime, lower recidivism rates, and more funds for other state needs. And the Kansas model is being replicated around the country.

But it is not just in the crafting of legislation that we came together for a common purpose. When bases across the country were being closed and communities emptied — we protected our military assets and brought the Big Red One home. We opened Fort Riley's doors — and the entire state — to new soldiers, new families, and new investments in Kansas.

Working together across communities and universities, we made our case for the National Bio and Agro-Defense Facility and we are proud to be its future home. We look forward to the contribution Kansas will make to our national security and to NBAF's positive impact on our state for generations to come.

Now, the NBAF effort would not have succeeded without the extraordinary leadership and vision of our Congressional delegation, key members of the Kansas legislature, Kansas State University, Manhattan community leaders, the BioScience Authority, private sector stakeholders, and our administration all working together.

The same principle that guided those successes should guide us now: Working together, we can succeed.

So let's commit ourselves to balancing the budget with common sense, strategic investments, and a commitment that we're all in this together — every agency has a role to play and a contribution to make.

Let's commit to focusing on priorities: investing in public schools and public safety, continuing basic state services to our most vulnerable populations, putting Kansans back to work, and including all state agencies in a dialogue that results in shared solutions.

My budget recommendations for 2009 and 2010 make significant reductions in most agencies, while trying to protect essential services. The budget also eliminates programs, closes facilities, and freezes new hires. We're asking our state workforce, once again, to do more with less and I am confident they will meet the challenge.

Yes, these are difficult times and we face difficult decisions, but by working in a bi-partisan fashion we'll once again find answers and experience success.

While we address our problems as a unified State, I'll continue the dialogue with the new President and our Congressional delegation on a stimulus package. But we shouldn't wait for or rely on Washington to solve our problems.

I have confidence in our capacity to meet our challenges. And, I also believe that our greatest successes lie before us. Along with the challenges, there are opportunities we cannot afford to ignore.

This is not the time to take our eye off the future. We must continue to look to the horizon for new opportunities. Already, we have several ongoing initiatives that can aid our economic recovery.

The Kansas Innovation Consortium is a group of business leaders representing our most promising economic growth sectors. They've come together to advise me and Cabinet secretaries on the best use of government resources to continue to grow private industry.

Joerg Ohle, the CEO of Bayer Animal Health, who helped lead the effort to brand an "animal health corridor" from Manhattan, Kansas to Springfield, Missouri and promote our NBAF success, is leading this strategic effort.

Seizing opportunities and creating jobs to stimulate our economy is important to our state's recovery. And, transportation is a critical component of both.

T-LINK, the task force led by Tim Rogers from the Salina Airport Authority and our Transportation Secretary Deb Miller, will soon complete their work and recommend new approaches for transportation, new collaborative partnerships and new funding formulas. Their efforts will provide the framework for our future transportation strategies.

Jack Pelton, chairman, president and CEO of Cessna Aircraft, is leading the statewide dialogue to develop a plan for reduced greenhouse gas emissions while Kansas continues to thrive.

KEEP, the Kansas Energy and Environmental Policy Advisory Group will give us the strategic framework to make good decisions about growth and environmental impact in the future.

None of these initiatives cost state dollars, and in each endeavor we have tapped the best of Kansas — the ingenuity and innovation of our private sector leaders — who give their time so Kansas can grow and prosper.

Among the myriad of issues on the horizon, two demand our attention this Session. The American energy crisis provides Kansas with challenges we must face and opportunities that together we must seize.

The energy crisis is real on many fronts affecting our economy, our national security, and our environment. Our own scientists at Kansas State University and the University of Kansas have joined with an overwhelming number of experts around the world who tell us that our time to solve these problems is running out.

While we know that the incoming President has promised a new federal energy policy and swift action, there's uncertainty about the exact rules and financial liabilities Congress will impose.

Kansas is already one of the nation's worst offenders in per capita carbon emissions, which makes us vulnerable to the costs and penalties of imminent federal regulation.

Recently, the Kansas Energy Council confirmed that we have adequate electricity to power us for years into the future; and no state is better suited to lead the country in renewable power than is Kansas. To do so, we must harness all of the energy that we can from wind, and we've already made significant progress.

Two years ago we entered into a voluntary agreement with our utilities to generate 1,000 megawatts of wind power in Kansas by 2010. Tonight, I'm happy to announce that we achieved that goal two years early.

But, we've just scratched the surface. The time will come when we reach our potential of 10,000 megawatts of wind from the prairies across Kansas—power used both here in our state and exported to supply the country with clean and renewable energy.

In fulfilling our potential we can attract billions of investment dollars for both transmission lines and the wind farms. We can create thousands of new jobs. And, Kansas landowners will see the benefit of millions of dollars of lease payments for their wind.

Just as Dwight Eisenhower led the effort to develop an interstate highway system to move goods and people across the country, Kansas can lead the development of an interstate transmission system to move power to market.

I am committed to work with the Kansas Corporation Commission to bring the competing companies together to reach a compromise on building new transmission lines in Kansas.

And I pledge that we'll continue to work with neighboring states in encouraging the Southwest Power Pool to accelerate development of a fair and progressive rate structure for a new transmission grid across our region.

But the cleanest and cheapest energy is energy we don't use in the first place, so I'm directing the Kansas Corporation Commission to work with our utility companies on measurable and significant energy efficiency programs to further extend our available power well into the future.

We must change our outdated rate structure, which currently rewards consumption, instead of conservation, and fully engage Kansas consumers in reducing their energy use.

I ask the Kansas Legislature to work with me on a green energy proposal which has already been endorsed by two of our major utilities and includes net metering, new building codes, and statutory goals for renewable energy in Kansas. This legislation will send a clear signal to private investors and renewable manufacturers that Kansas is embracing a clean energy future, and will help to spur investment and innovation.

Finally, I am pleased that Len Rodman, CEO of Black and Veatch, a Kansas company that provides strategic advice throughout the world on green energy initiatives, has agreed to Chair my newly created GreenWorks Advisory Council, to expand our opportunities to add more renewable energy jobs in Kansas. Thank you, Len.

With all of us working together, we can and will seize this opportunity. Kansas will become a hub of wind power, a heartland center for green industries, and we will lead the country and the world out of the energy crisis we face.

Along with the energy crisis, we also face many personal challenges with disease and illness. Cancer has affected many Kansas families. The personal toll in lost lives and unrealized potential cannot be calculated.

The cost to the health care system is also great. The American Cancer Society estimates that it costs our state approximately \$4.4 million a day in lost productivity and direct medical costs.

Over the past few years, scientists have made tremendous strides in early detection and treatment, so that a cancer diagnosis is no longer an immediate death sentence. We're fortunate to have a team of researchers at the University of Kansas who are already finding new cures.

We now have an opportunity to create a Comprehensive Cancer Center. And much like the effort to bring NBAF to Kansas, this will be a multi-year collaborative effort including private sector partners, our research universities, health allies from across the region, the Midwest Cancer Alliance, and the Bio Science Authority.

The application for National Cancer Institute designation will occur in 2011; and, if successful, has enormous potential as an economic engine, estimated to generate \$1.3 billion dollars annually, and create nearly 10,000 new jobs within a decade.

Just as important, Kansans won't have to travel out of state for cancer care, and our State will contribute to the national goal of finding cures in our lifetime.

The National Cancer Institute designation is another prospect on the horizon, with the potential to impact our state and our citizens for generations to come.

These major opportunities to create jobs and expand our economy are part of a long-term strategy to continue progress in Kansas. We have to keep them in the forefront as we craft short-term budget solutions.

The role Kansas can play in addressing major issues confronting our state, nation, and world can be significant. The promise of our future must not be forgotten in the problems of the moment.

We have the ability by working together to correctly identify assets, mobilize efforts, unify our resolve, and get the job done for Kansas today and tomorrow.

Our state's motto is as true today as it was in 1861. We will overcome our difficulties; we will reach the stars yet again. There will be a better day.

The U.S. and the Kansas economies will rebound, and we'll return to positive growth. We will create jobs. And the opportunities Kansans have enjoyed for generations will not go away. This time of shared struggle will result in shared solutions and a stronger Kansas.

Thank you. May God bless you, and may God bless the Great State of Kansas.

On motion of Rep. Merrick, the House adjourned until 11:00 a.m., Tuesday, January 13, 2009.

SUSAN W. KANNARR, *Chief Clerk*.

CHARLENE SWANSON, *Journal Clerk*.

