

# Journal of the Senate

SIXTIETH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Monday, May 4, 2009—10:00 a.m.

The Senate was called to order by President Stephen Morris.  
The roll was called with forty senators present.  
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

I pray for our new Governor:  
Governor Mark Parkinson.  
He's taking the place of the one  
Who is now in Washington.

He used to be a Senator  
From District twenty-three.  
So he experienced state government  
From the view that Senators see.

Addressing the legislature,  
He said bipartisanship  
Is the key to solving problems  
Which have Kansas in their grip.

One reporter said the effort  
To find the right mix  
Of revenue and expense changes  
Would be a challenge to fix.

In a wedding once I witnessed  
Bipartisanship without a spat,  
I united a Republican man  
To a lady Democrat!

How wonderful it would be, O God,  
If we could reach an amiable solution  
Which resembled the peace I witnessed  
At that wedding's calm conclusion.

I pray in the Name of Jesus Christ,

AMEN

The Pledge of Allegiance was led by President Stephen Morris.  
On motion of Senator D. Schmidt, the Senate recessed until 1:30 p.m.

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## AFTERNOON SESSION

The Senate met pursuant to recess with President Morris in the chair.

**REPORTS OF STANDING COMMITTEES**

Committee on **Agriculture** recommends **HB 2295**, as amended by House Committee, be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2295," as follows:

"SENATE Substitute for HOUSE BILL No. 2295

By Committee on Agriculture

"AN ACT concerning agriculture; relating to application of swine waste; fees for pesticide and fertilizer programs; fees for milk and dairy products; amending K.S.A. 2-2203, 2-2205, 2-2206, 2-2207, 2-2209, 2-2214, 2-2440a, 2-2440c, 2-2440e, 2-2446, 2-2449, 2-2450, 2-2454, 2-2455, 2-2470 and 2-2471 and K.S.A. 2008 Supp. 2-1205, 2-2202, 2-2204, 2-2438a, 2-2440, 2-2440b, 2-2441a, 2-2443a, 2-2445a, 2-2469, 2-2905, 2-2906, 2-3304, 2-3306, 2-3309, 2-3318, 65-778, 65-781 and 65-1,182 and repealing the existing sections; also repealing K.S.A. 2-1211 and 2-2466."; and the substitute bill be passed.

**REFERRED TO COMMITTEE**

President Morris referred **S Sub for HB 2295** to the **Committee of the Whole**.

On motion of Senator D. Schmidt **S Sub for HB 2295** was moved to the top of the Calendar under the heading of General Orders.

**ORIGINAL MOTION**

Senator D. Schmidt moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **S Sub for HB 2295**.

**COMMITTEE OF THE WHOLE**

On motion of Senator D. Schmidt, the Senate resolved itself into Committee of the Whole, for consideration of the bill on the calendar under the heading of General Orders with Senator Apple in the chair.

On motion of Senator Apple the following report was adopted:

The committee report on **HB 2295** recommending a **S Sub for HB 2295** be adopted, and the substitute bill be passed.

**FINAL ACTION OF BILLS AND CONCURRENT RESOLUTIONS**

On motion of Senator D. Schmidt an emergency was declared by a  $\frac{2}{3}$  constitutional majority, and **S Sub for HB 2295** was advanced to Final Action and roll call.

**S Sub for HB 2295**. An act concerning agriculture; relating to application of swine waste; fees for pesticide and fertilizer programs; fees for milk and dairy products; amending K.S.A. 2-2203, 2-2205, 2-2206, 2-2207, 2-2209, 2-2214, 2-2440a, 2-2440c, 2-2440e, 2-2446, 2-2449, 2-2450, 2-2454, 2-2455, 2-2470 and 2-2471 and K.S.A. 2008 Supp. 2-1205, 2-2202, 2-2204, 2-2438a, 2-2440, 2-2440b, 2-2441a, 2-2443a, 2-2445a, 2-2469, 2-2905, 2-2906, 2-3304, 2-3306, 2-3309, 2-3318, 65-778, 65-781 and 65-1,182 and repealing the existing sections; also repealing K.S.A. 2-1211 and 2-2466.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Barnett, Brownlee, Bruce, Brungardt, Colyer, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huelskamp, Kelly, Kelsey, Kultala, Lee, Lynn, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wysong.

The substitute bill passed.

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On motion of Senator D. Schmidt the Senate adjourned until 9:00 a.m., Tuesday, May 5, 2009.

HELEN MORELAND, ROSE MARIE GLATT, SHIRLEY LAMOTT, *Journal Clerks.*  
PAT SAVILLE, *Secretary of the Senate.*

