

Journal of the Senate

ELEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 27, 2009—2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-nine senators present.
Senator Teichman was excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Toward the end of many sessions
When we seemed to reach a stalemate,
I turned to quote from Ben Franklin
For help as it was getting late.

Lord, I'd like to refer to him again,
Before we reach the end,
And seek the wisdom and inspiration
Of the genius we know as Ben.

In April of seventeen eighty-seven
He delivered a powerful speech
To the Constitutional Convention
Where a deadlock had been reached.

As Franklin began to close his speech,
The eighty-one year old said that day,
"God governs in the affairs of men",
And then he went on to say...

"If God sees every sparrow fall,
Then we shouldn't be afraid,
For surely a nation cannot rise
Without the Father's aid,"

(And Lord, I would paraphrase)
"If You see every sparrow fall,
Then shouldn't we take our chances,
An trust that You can help us solve
The deficits that plague Kansas?"

I pray in the Name of Jesus,

AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

SB 95, An act concerning crimes and punishment; relating to traffic in contraband in a correctional institution or care and treatment facility; amending K.S.A. 21-3826 and repealing the existing section, by Committee on Judiciary.

SB 108, An act concerning the economic revitalization and reinvestment act; relating to the secretary of commerce and the Kansas development finance authority; authorizing the issuance of bonds for certain economic development projects; amending K.S.A. 2008 Supp. 74-50,136 and repealing the existing section, by Committee on Ways and Means.

SB 109, An act amending the grandparents as caregivers act; amending K.S.A. 2008 Supp. 38-145, 38-146 and 38-147 and repealing the existing sections, by Committee on Ways and Means.

SB 110, An act concerning criminal procedure; relating to a defendant's competency; amending K.S.A. 22-3302 and repealing the existing section, by Committee on Ways and Means.

SB 111, An act concerning political subdivision budget expenditures from revenues produced by property tax levies; providing limitations thereon; repealing K.S.A. 2008 Supp. 79-2925b, by Special Committee on Assessment and Taxation.

SB 112, An act concerning the Kansas act against discrimination; relating to disability; amending K.S.A. 44-1001, 44-1002 and 44-1006 and repealing the existing sections, by Committee on Judiciary.

SB 113, An act pertaining to the legislature; relating to the size thereof; amending K.S.A. 4-101 and repealing the existing section, by Senator Steineger.

SB 114, An act concerning zoning; relating to group homes; amending K.S.A. 12-736 and repealing the existing section, by Committee on Federal and State Affairs.

SB 115, An act relating to fire departments; concerning certain powers; amending K.S.A. 31-145 and repealing the existing section, by Committee on Federal and State Affairs.

SB 116, An act concerning private detectives; relating to permits to carry concealed firearms; amending K.S.A. 2008 Supp. 12-4516, 21-4619, 75-7b01 and 75-7b17 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 117, An act concerning elections; relating to disclosures on certain political advertisements, by Committee on Ethics and Elections.

SB 118, An act concerning elections; relating to campaign finance; amending K.S.A. 2008 Supp. 25-4148 and repealing the existing section, by Committee on Ethics and Elections.

SB 119, An act enacting the community improvement district act, by Committee on Commerce.

SB 120, An act concerning the Kansas investments in major projects and comprehensive training; relating to the secretary of commerce; authorizing the funding of certain economic development projects; amending K.S.A. 2008 Supp. 74-50,103 and repealing the existing section, by Committee on Commerce.

SB 121, An act concerning health care; relating to reform in funding and structure of the federal and state programs, by Committee on Public Health and Welfare.

SB 122, An act relating to motor vehicles; concerning rebuilt salvage vehicles; amending K.S.A. 79-5104 and K.S.A. 2008 Supp. 8-135 and repealing the existing sections, by Committee on Transportation.

SB 123, An act relating to antique vehicles; concerning certain license plates; amending K.S.A. 2008 Supp. 8-172 and repealing the existing section, by Committee on Transportation.

SB 124, An act concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; affiliation by Kansas department of wildlife and parks; membership of certain officers and employees; employer and employee contributions, by Committee on Transportation.

SB 125, An act concerning the grandparents as caregivers act; relating to eligibility requirements; amending K.S.A. 2008 Supp. 38-145 and repealing the existing section, by Senator Faust-Coudeau.

SB 126, An act concerning insurance; enacting the controlled insurance programs act, by Committee on Financial Institutions and Insurance.

SB 127, An act concerning taxation of alcoholic liquor; relating to distribution of revenue; amending K.S.A. 19-101a and K.S.A. 2008 Supp. 79-41a03 and repealing the existing sec-

tions; also repealing K.S.A. 19-101m, 79-41a04 and 79-41a05, by Committee on Assessment and Taxation.

SB 128. An act creating and implementing the fatherhood initiative program; relating to the duties of the department of social and rehabilitation services, by Senator Faust-Goudeau.

SB 129. An act concerning the state medicaid plan; requiring certain changes regarding county jail inmates, by Committee on Local Government.

SENATE CONCURRENT RESOLUTION No. 1603—

By Senator Steineger

A CONCURRENT RESOLUTION concerning endorsement of the Unified Greeley County government.

WHEREAS, The voters of Greeley County and the City of Tribune agreed to unify the governments of the city and county in November, 2007; and

WHEREAS, The leaders of Greeley County and the City of Tribune were seeking ways to provide more efficient and effective delivery of public services; and

WHEREAS, The people of Greeley County and the City of Tribune were seeking new ways to deal with the challenges of a shrinking population, a balancing of rural and urban needs, a loss of jobs and a continuing need to provide quality public services; and

WHEREAS, A unified city and county government had been part of an ongoing discussion for over five years; and

WHEREAS, The people of Greeley County and the City of Tribune determined a unified government was a creative solution to help address new challenges: Now, therefore,

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the Legislature endorses the Unified Greeley County and congratulates the people of Greeley County and the City of Tribune for their creative approach to delivery of county and city services; and

Be it further resolved: That the Secretary of State is directed to send enrolled copies of this resolution to each of the five members of the new Unified Greeley County governing body.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to Committees as indicated:

Assessment and Taxation: **SB 97, SB 98, SB 99, SB 100; SCR 1602.**

Ethics and Elections: **SB 103.**

Federal and State Affairs: **SB 106, SB 107.**

Financial Institutions & Insurance: **SB 90, SB 104, SB 105.**

Judiciary: **SB 92, SB 94.**

Local Government: **SB 91.**

Public Health and Welfare: **SB 101, SB 102.**

Ways and Means: **SB 93, SB 96.**

CONFIRMATION OF APPOINTMENTS

In accordance with Senate Rule 56, the following appointments, submitted by the Governor and Board of Healing Arts to the senate for confirmation, were considered.

Senator D. Schmidt moved the following appointments be confirmed as recommended by the Confirmation Oversight Committee:

By the Governor:

On the appointment to the:

Central Low-Level Radioactive Waste Commission:

Shari Feist Albrecht, member, serves at the pleasure of the Governor.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

Central Low-Level Radioactive Waste Commission:

John William Mitchell, alternate member, serves at the pleasure of the Governor.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

Kansas Agricultural Remediation Board:

Larry S. Shivers, term expires March 15, 2012.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

Kansas Bioscience Authority:

Sandra Airene Lawrence, term expires March 15, 2012.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

Kansas Bioscience Authority:

John W. Carlin, term expires March 15, 2012.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

Kansas Court of Tax Appeals, Chief Hearing Officer:

Trevor Wohlford, term expires July 1, 2012.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

Kansas Electric Transmission Authority:

Leslie W. Evans, term expires March 15, 2012.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

Kansas Human Rights Commission:

Terry Lee Crowder, term expires January 15, 2011.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

Kansas Inc.:

Patricia Bossert, term expires January 15, 2012.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

Kansas Inc.:

John A. Pilla, term expires January 15, 2012.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

Kansas National Guard, Brigadier General:

Col. Norman E. Steen, serves at the pleasure of the Governor.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

Kansas Technology Enterprise Corporation:

Dr. Bruce D. Dallman, term expires January 15, 2012.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

Pooled Money Investment Board:

Norman B. Dawson, term expires March 15, 2012.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

Pooled Money Investment Board:

J. Thomas Thull, term expires March 15, 2012.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

Public Employee Relations Board:

Kenneth W. Gorman, term expires March 15, 2011.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

State Banking Board:

Michael R. Downing, term expires March 15, 2011.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

State Banking Board:

Winton A. Winter, Jr., term expires March 15, 2011.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

State Banking Board:

Melvin G. Minor, term expires March 15, 2011.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

State Board of Indigents' Defense Services:

Lawrence P. Daniels, term expires January 15, 2009.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

State Board of Indigents' Defense Services:

John R. Weber, term expires January 15, 2010.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

State Civil Service Board:

Correne K. Green, term expires March 15, 2010.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

State Civil Service Board:

Robert B. VanCleave, term expires March 15, 2010.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

University of Kansas Hospital Authority:

Gregory Michael Graves, term expires March 15, 2011.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

University of Kansas Hospital Authority:

Robert W. Honse, term expires March 15, 2010.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

On the appointment to the:

University of Kansas Hospital Authority:

Sharon Lindenbaum, term expires March 15, 2011.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

By the Board of Healing Arts:

On the appointment to the:

Kansas Board of Healing Arts, Executive Director:

John Douglas (Jack) Confer, serves at the pleasure of the Board of Healing Arts.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

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, Umbarger, Vratil, Wagle, Wysong.

Absent or Not Voting: Teichman.

The appointment was confirmed.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **SB 30, SB 41** be passed.

COMMITTEE OF THE WHOLE

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

On motion of Senator Taddiken the following report was adopted:

Recommended **SB 34, SB 44** be passed.

SB 45 be amended by adoption of the committee amendments, and the bill be passed as amended.

SB 30 be amended by adoption of the committee amendments, and be further amended by motion of Senator Emler as amended by Senate Committee, on page 2, in line 12, after the comma by inserting "K.S.A. 72-1033 and 72-1623"

Senator Masterson further amended **SB 30**, on page 2, in line 43, by striking "replacement cost" and inserting "fair market value"; also in line 43, after "sidearm" by inserting ", as fixed by the agency head," and **SB 30** be passed as amended.

On motion of Senator D. Schmidt the Senate adjourned until 10:30 a.m., Wednesday, January 28, 2009.

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

