

# Journal of the Senate

## SECOND DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Tuesday, January 12, 2010—2:30 p.m.

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

Heavenly Father,  
Was someone dreaming of a white session  
Like the ones we used to know  
When the tree tops were glistening  
People glued to the radio?

As far as Topeka is concerned  
We broke a record in December,  
And the parking lots are laden  
With snow mounds to remember.

Water lines were cracking  
And people sliding into ditches.  
Lots of folks are hurting  
And not burdened down with riches.

We are facing major issues.  
Capitol Journal says there's ten.  
All of them important  
And affect our citizens.

But, Lord, while we are working  
Under the old green dome,  
Let's take some time to pray  
For those who have no home.

And help us look for chances  
To lend a personal hand  
To someone who's in trouble  
Needing help to stand.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**SB 354.** An act concerning school districts; relating to school finance; amending K.S.A. 2009 Supp. 72-6441, 72-6449 and 72-6451 and repealing the existing sections, by Committee on Ways and Means.

**SB 355.** An act concerning teachers; relating to teachers' contracts; amending K.S.A. 2009 Supp. 72-5437 and repealing the existing section, by Committee on Ways and Means.

**SB 356.** An act concerning the residential childhood lead poisoning prevention act; pertaining to rules and regulations; amending K.S.A. 65-1,201 and 65-1,202 and repealing the existing sections, by Committee on Ways and Means.

**SB 357.** An act concerning the Beloit juvenile correctional facility; authorizing the secretary of the department of administration to convey a certain tract of real estate for and on behalf of the juvenile justice authority; amending K.S.A. 2009 Supp. 38-2302 and 72-978 and repealing the existing sections; also repealing K.S.A. 76-2201, 76-2202, 76-2219 and 76-2220 and K.S.A. 2009 Supp. 76-2201a, by Senator Lee.

**SB 358.** An act concerning school districts; relating to special education; amending K.S.A. 72-983 and repealing the existing section, by Legislative Educational Planning Committee.

**SB 359.** An act concerning school districts; relating to special education; amending K.S.A. 72-983 and repealing the existing section, by Legislative Educational Planning Committee (By Request of the 2010 Commission).

**SB 360.** An act concerning small claims; amending K.S.A. 61-2714 and K.S.A. 2009 Supp. 61-2704 and 61-2707 and repealing the existing sections, by Senators D. Schmidt, Abrams, Apple, Huelskamp, Lynn, Petersen, V. Schmidt, Schodorf, Taddiken, Vratil and Wagle.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 347.**

Judiciary: **SB 346, SB 351, SB 352, SB 353.**

Public Health and Welfare: **SB 348, SB 349.**

Ways and Means: **SB 350.**

#### REFERENCE OF APPOINTMENTS

*By the Attorney General:*

*Crime Victims Compensation Board, Chairperson:*

Suzanne Valdez, effective upon the date of confirmation by the Senate to serve a two-year term expiring March 15, 2012.

(Judiciary)

*By the Governor:*

*Secretary, Department of Aging:*

Martin A. Kennedy pursuant to the authority vested in me by KSA 75-5903, effective upon the date of confirmation by the Senate.

(Public Health and Welfare)

*Secretary, Department of Agriculture:*

Joshua Svaty pursuant to the authority vested in me by KSA 74-560, effective upon the date of confirmation by the Senate, to serve at the pleasure of the Governor.

(Agriculture)

*Member, Kansas Development Finance Authority:*

Suchitra Padmanabhan pursuant to the authority vested in me by KSA 74-8903, effective upon the date of confirmation by the Senate, to serve a term of 4 years.

(Ways and Means)

*Ombudsman, State Long-Term Care Ombudsman:*

Belinda Vierthaler pursuant to the authority vested in me by KSA 75-7304, effective upon the date of confirmation by the Senate, to fulfill an unexpired term ending January 15, 2011.

(Public Health and Welfare)

*Member, State Board of Indigents' Defense Services:*

John Poertner pursuant to the authority vested in me by KSA 22-4519 et seq., effective upon the date of confirmation by the Senate, to serve a term of 3 years.

(Judiciary)

*Member, University of Kansas Hospital Authority:*

Scott M. Slabotsky pursuant to the authority vested in me by KSA 76-3304, effective upon the date of confirmation by the Senate, to serve a term of 4 years.

(Public Health and Welfare)

*Member, Kansas Technology Enterprise Corporation:* Thomas Cohen pursuant to the authority vested in me by KSA 74-8101, effective upon the date of confirmation by the Senate, to serve a term of 4 years.

(Commerce)

*Kansas Health Policy Authority Board:*

Dr. Andrew Allison has been appointed as the permanent Executive Director of the agency, subject to confirmation by the Kansas Senate.

(Public Health and Welfare)

*By the President of the Senate:*

*Kansas Health Policy Authority Board:*

Dr. William Reed for a four-year term expiring March 15, 2012.

(Public Health and Welfare)

**COMMUNICATIONS FROM STATE OFFICERS**

**KANSAS DUI COMMISSION**

December 2009

On behalf of the Kansas DUI Commission, Senator Thomas Owens, chairperson, submitted a copy of an interim report and recommendations.

**KANSAS CORPORATION COMMISSION**

**CONSERVATION DIVISION**

January 11, 2010

Director, Doug Louis, submitted a report on the Remediation Site Status Report and the Abandoned Oil & Gas Well Status Report.

**KANSAS DEPARTMENT OF WILDLIFE AND PARKS**

January 11, 2010

Pursuant to KSA 32-844 and KSA 32-845, J. Michael Hayden, Secretary, submitted the Land Acquisition and Renewal report.

**SENATE PRESIDENT'S OFFICE**

**STATE OF KANSAS**

December 21, 2009

In accordance with Rule 8 of the Senate Rules, I have established a Senate Select Committee to be named the Business and Labor Committee. The committee will meet at 8:30 a.m. on Tuesday and Wednesday.

I have appointed the following Senators to the committee:

- Senator Susan Wagle, chair
- Senator Julia Lynn, vice-chair
- Senator Jay Emler
- Senator Jean Schodorf
- Senator Roger Reitz
- Senator Karin Brownlee
- Senator Dick Kelsey
- Senator Tom Holland
- Senator Oletha Faust-Goudeau

In a meeting that took place today at 2:00 p.m. in the Senate President's Office, OCR made necessary adjustments to committee assignments required by the retirement of Senator David Wysong and the election of Senator Terrie Huntington to the 7th District senate seat.

Below is the summary of those changes:

*Commerce Committee (meets Thursday & Friday at 8:30 a.m.):*

Senator Karin Brownlee, Chair (replaces Senator David Wysong)  
Senator Julia Lynn, Vice Chair

*Members:*

Senator Jay Emler  
Senator Dick Kelsey  
Senator Roger Reitz  
Senator Jean Schodorf  
Senator Susan Wagle  
Senator Tom Holland  
Senator Oletha Faust-Goudeau

*Local Government:*

Senator Terrie Huntington replaces Senator Carolyn McGinn

*Ethics & Elections:*

Senator Pete Brungardt becomes Vice Chair  
Senator Pat Apple becomes a member  
Senator Huntington replaces Senator Wysong

*Ways & Means:*

Senator Apple replaces Senator Wysong

*Assessment and Taxation*

Senator Huntington replaces Senator Apple

*Public Health and Welfare:*

Senator Huntington replaces Senator Wysong

*Transportation:*

Senator Huntington replaces Senator Brownlee

The President announced the above reports are on file in the office of the Secretary of the Senate and are available for review at any time.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Wednesday, January 13, 2010.

HELEN MORELAND, ROSE MARIE GLATT, SHIRLEY LAMOTT, *Journal Clerks.*

PAT SAVILLE, *Secretary of the Senate.*

