

Journal of the Senate

THIRTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 3, 2010—2:30 p.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,

Once more I would like to share some of Your Proverbs, all of which reflect Your wisdom; some of which suggest Your humor.....

25:17 Seldom set foot in your neighbor's house—too much of you, and he will hate you.

27:2 Let another praise you, and not your own mouth; someone else, and not your own lips.

27:14 If a man loudly blesses his neighbor early in the morning, it will be taken as a curse.

27:17 As iron sharpens iron, so one man sharpens another.

28:27 He who gives to the poor lacks nothing, but he who closes his eyes to them receives many curses.

29:6 An evil man is snared by his own sin, but a righteous one can sing and be glad.

29:25 Fear of man will prove to be a snare, but whoever trusts in the Lord is kept safe.

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 bill and resolutions were introduced and read by title:

SB 563, An act concerning the campaign finance act; pertaining to coverage for certain retention elections; amending K.S.A. 25-2505 and K.S.A. 2009 Supp. 25-4143 and repealing the existing sections, by Committee on Federal and State Affairs.

SENATE CONCURRENT RESOLUTION No. 1628—

By Committee on Ways and Means

A CONCURRENT RESOLUTION requesting the Kansas supreme court, in cooperation with the judicial council, to make a survey and study of the Kansas court system; authorizing appointment of an advisory committee; providing and requiring a report thereon to the judiciary and the legislature.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the Kansas legislature is hereby requesting the Kansas supreme court, in cooperation with the judicial council, to make a survey and study of the Kansas court system including municipal courts;

Be it further resolved: That such study and survey shall include: (1) Organization and restructuring of the court system; (2) administrative supervision of the courts; (3) workload of judicial and non-judicial personnel; (4) financing of the court system; (5) use of video conferencing and other methods for court hearings; (6) jurisdiction, qualifications and compensation of district magistrate judges; and (7) such other areas of study assigned to it by the chief justice;

Be it further resolved: That on or before January 20, 2011, the chief justice shall report to the judiciary and the 2011 legislature on the study and survey;

Be it further resolved: That the supreme court may appoint a judicial study advisory committee to assist in conducting the judicial study and survey and to make recommendations to the judiciary and the legislature;

Be it further resolved: That the judicial study advisory committee shall be considered a regular committee of the judicial council for the purpose of receiving per diem allowances;

Be it further resolved: That the Secretary of State be directed to send an enrolled copy of this resolution to the Chief Justice of the Kansas Supreme Court.

SENATE CONCURRENT RESOLUTION No. 1629—

By Senator Huelskamp

A CONCURRENT RESOLUTION urging the United States Congress to adopt the Parental Rights Amendment, a joint resolution proposing an amendment to the Constitution of the United States relative to parental rights.

WHEREAS, The right of parents to direct the upbringing and education of their children is a fundamental right protected by the Constitutions of the United States and the State of Kansas; and

WHEREAS, Our nation has historically relied first and foremost on parents to meet the real and constant needs of children; and

WHEREAS, The interests of children are best served when parents are free to make child rearing decisions about education, religion and other areas of a child's life without state interference; and

WHEREAS, The United States Supreme Court in *Wisconsin v. Yoder*, 406 U.S. 205 (1972), has held that "This primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition"; and

WHEREAS, The United States Supreme Court in *Troxel v. Granville*, 530 U.S. 57 (2000), however, produced six different opinions on the nature and enforceability of parental rights under the Constitution of the United States; and

WHEREAS, This decision has created confusion and ambiguity about the fundamental nature of parental rights in the laws and society of the several States; and

WHEREAS, Senator James DeMint of the State of South Carolina and Representative Peter Hoekstra of the State of Michigan have introduced Senate Joint Resolution 16 and House Joint Resolution 42 in the United States Congress, proposing an amendment to the Constitution of the United States to prevent erosion of the enduring American tradition of treating parental rights as fundamental rights, which reads as follows:

"Section 1. The liberty of parents to direct the upbringing and education of their children is a fundamental right.

Section 2. Neither the United States nor any State shall infringe upon this right without demonstrating that its governmental interest as applied to the child involved is of the highest order and not otherwise served.

Section 3. No treaty may be adopted nor shall any source of international law be employed to supersede, modify, interpret, or apply to the rights guaranteed by this article."; and

WHEREAS, This amendment will add explicit text to the Constitution of the United States to protect in perpetuity the rights of parents as they are now enjoyed, without substantive change to current state or federal laws respecting these rights; and

WHEREAS, Such enumeration of these rights in the text of the Constitution of the United States will preserve them from being infringed upon by the shifting ideologies and interpretations of the United States Supreme Court: Now, therefore,

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the Congress of the United States is urged to adopt and submit to the states for ratification the Parental Rights Amendment to the Constitution of the United States proposed by Senator James DeMint and Representative Peter Hoekstra in Senate Joint Resolution 16 and House Joint Resolution 42; and

Be it further resolved: That a copy of this resolution be distributed to the Majority Leader and Minority Leader of the United States Senate, the Speaker, Majority Leader and Minority Leader of the United States House of Representatives, and the Speaker of the House and the President of the Senate of each state's legislature of the United States of America.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Federal and State Affairs: **SR 1828**.

Ways and Means: **SB 562**.

COMMUNICATIONS FROM STATE OFFICERS

STATE OF THE JUDICIARY

Pursuant to KSA 20-320, Robert E. Davis, Chief Justice, submitted the 2010 Annual Report of the Chief Justice of the Kansas Supreme Court.

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

MESSAGE FROM THE HOUSE

The House accedes to the request of the Senate for a conference on **SB 62** and has appointed Representatives Landwehr, Crum and Flaharty as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **House Substitute for SB 316** and has appointed Representatives Powell, Fund and Lukert as conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2283**, submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee of the Whole amendments, as follows:

On page 2, after line 30, by inserting the following:

“(G) If the area transferred consists of land for which no water service is being provided by the system at the time of the annexation, the value of such land based on the planning, design and construction of improvements located outside the annexed area reasonably made to provide future water service to the annexed area;”;

And by relettering the subsections accordingly;

On page 4, in line 11, by striking “2008” and inserting “2009”; in line 31, by striking “2008” and inserting “2009”;

On page 7, after line 16, by inserting the following:

“(H) If the area released consists of land for which no water service is being provided by the system at the time of the release, the value of such land based on the planning, design and construction of improvements located outside the released area reasonably made to provide future water service to the released area;”;

And by relettering the subsections accordingly;

Also on page 7, by striking all in lines 36 through 43;

On page 8, by striking all in lines 1 through 16;

And by renumbering the remaining sections accordingly;

Also on page 8, in line 17, by striking “82a-1036 and”; also in line 17, by striking “2008” and inserting “2009”;

In the title, in line 13, by striking “K.S.A. 82a-1036 and”; in line 14, by striking “2008” and inserting “2009”;

And your committee on conference recommends the adoption of this report.

CAROLYN MCGINN
RUTH TEICHMAN
MARCI FRANCISCO
Conferees on part of Senate

LARRY POWELL
ROCKY FUND
STEVE LUKERT
Conferees on part of House

Senator McGinn moved the Senate adopt the Conference Committee Report on **HB 2283**.

On roll call, the vote was: Yeas 39, Nays 1, 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, Huntington, Kelly, Kelsey, Kultala, Lee, Lynn, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Reitz.

The Conference Committee report was adopted.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 494, An act concerning county officers; relating to undersheriffs; amending K.S.A. 19-804a and repealing the existing section, was considered on final action.

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, Huntington, 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.

The bill passed, as amended.

SB 541, An act concerning the court of appeals; relating to the number of judges; amending K.S.A. 2009 Supp. 20-3002 and repealing the existing section, was considered on final action.

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, Huntington, 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.

The bill passed.

HB 2323, An act concerning providers of care services; relating to employment of persons by such providers; amending K.S.A. 2009 Supp. 39-970 and 65-5117 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39, Nays 1, 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.

Nays: Huntington.

The bill passed, as amended.

HB 2436, An act designating bridge No. 62 on United States highway 77 in Marshall county as the 1st Lieutenant Michael Hugh Breeding memorial bridge, was considered on final action.

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, Huntington, 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.

The bill passed.

HB 2500, An act concerning cities and municipalities; relating to municipal insurance pools; amending K.S.A. 12-2618 and repealing the existing section, was considered on final action.

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, Huntington, 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.

The bill passed, as amended.

HB 2501, An act concerning insurance; relating to the liability of mortgage guaranty insurance companies; amending K.S.A. 40-3512 and repealing the existing section, was considered on final action.

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, Huntington, 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.

The bill passed, as amended.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Morris introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1827—

A RESOLUTION welcoming and saluting the members of the Turkish Delegation to the State of Kansas on the occasion of the Turkish-Kansan Friendship Reception presented in cooperation with the Turquoise Council of Americans and Eurasians and the Kansas Raindrop Turkish House.

WHEREAS, The Turquoise Council of Americans and Eurasians (TCAE) is an independent umbrella organization of Turkish, Turkic and Eurasian organizations in Kansas, Texas, New Mexico, Oklahoma, Tennessee, Louisiana, Arkansas and Mississippi committed to advancing communication, coordination and friendship among American and Eurasian peoples to promote and enhance our existing strong relationship through its member organizations; and

WHEREAS, The TCAE is sponsoring the "Turkish-Kansan Friendship Reception" on March 3, 2010, to welcome the Turkish Delegation to Kansas; and

WHEREAS, The Turkish-Kansan Friendship Reception will offer an opportunity for the Turkish Delegation to meet elected officials and community leaders in Kansas and will allow those invited to experience a taste of Turkish culture; and

WHEREAS, Members of the delegation are Turkish Parliament members Yasar Karayel, Ahmet Oksuzkaya and Fikri Isik; and

WHEREAS, Yasar Karayel was born in the village of Alakusak, Kayseri. He graduated from the Faculty of Economy of Marmara University where he was the administrator of the National Turkish Student Association and a manager of Fatih Dormitory of Higher Education and Fatih Gureba Hospital. Mr. Karayel became the deputy head of the City Council as well as a consultant for the Istanbul Mayor. He also was a Consultant to the Prime Minister and Assistant Consultant to the Minister of Housing and Development. Mr. Karayel also speaks German and is a proud father of three children; and

WHEREAS, Ahmet Oksuzkaya was born in Kayseri. Mr. Oksuzakaya graduated from the College of Journalism of Gazi University and the Faculty of Economy of Anadolu University. He has worked as Financial Counselor, was a member of the Chamber of Financial Consultants and later appointed to the positions of General Secretary and Vice-President of the Chamber. Mr. Oksuzkaya also operated as a delegate of The Union of Turkish Freelance Financial Counselors and Accountants. He has served as a member of City Council and is married with three children; and

WHEREAS, Fikri Isik was born in the village of Babacan, Gumushane. He graduated from the Educational Faculty and Science Departments of Middle East Technical University. Both an educator and merchant, Mr. Isik has worked as an English and math teacher at a private school in Izmit and Istanbul. He is a member of the Hareke Education, Culture and Helping Association, Red Crescent, Green Crescent, Ayisigi and the Orphans' Association. Mr. Isik speaks English and Arabic and is married with four children; and

WHEREAS, We are pleased to acknowledge our esteemed visitors from Turkey who serve as representatives of their people in their country's main legislative body: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we do hereby welcome and salute the members of the Turkish Delegation on the occasion of the "Turquoise Council of Americans and Eurasians Turkish-Kansan Friendship Reception," and extend to them our greetings and best wishes; and

Be it further resolved: That this resolution be presented to the distinguished visitors from the Turkish Parliament and the members of their delegation and that one copy be forwarded to the Turquoise Council of Americans and Eurasians and made available to the Capitol Press Corps.

On emergency motion of Senator Morris **SR 1827** was adopted unanimously.

Senator Morris introduced Selahattin Aydin, Cemil Teber, Kemal Oksuz, Ed Stevenson, The Honorable Yasar Karayel, The Honorable Ahmet Oksuzkaya, The Honorable Fikri Isik and Selcuk Cetin representing the Turkish Parliament.

Senator V. Schmidt introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1829—

A RESOLUTION recognizing and commemorating March as Professional Social Work Month and commending the hundreds of students who are currently studying to become Social Workers and who will join the more than 6,000 Social Workers practicing in Kansas.

WHEREAS, Social Workers are dedicated to the successful functioning of American society; and

WHEREAS, Social Workers are the largest provider of mental health services across Kansas and the nation; and

WHEREAS, Social Workers stand up for others to make sure everyone has access to the same basic rights, protections and opportunities; and

WHEREAS, Social Workers help resolve systemic issues that negatively affect community life; and

WHEREAS, Social Workers believe there are no limits to human potential; and

WHEREAS, Social Workers work through community-based agencies and organizations, hospitals, the military services, government, private practice and educational institutions to provide resources and guidance that support social functioning; and

WHEREAS, Social Workers are on the frontlines, responding to such human needs as homelessness, poverty, family break-up, mental illness, physical and mental disability, substance abuse, domestic violence, and many other issues; and

WHEREAS, Social Workers have the right education and experience to guide individuals, families and communities through complex issues and choices; and

WHEREAS, Social Workers are educated in any of the nine recognized and accredited university social work programs in Kansas; and

WHEREAS, Social Workers are licensed professionals at the Baccalaureate, Masters, and Clinical levels of practice; and

WHEREAS, Social Workers often risk their lives for the well-being of others; and

WHEREAS, Social Workers increase their skills and knowledge through regular continuing education, including establishing a safe working environment for clients, wherever they are served; and

WHEREAS, Social Workers find professional satisfaction in the achievement and progress made by their clients; and

WHEREAS, Social Workers make a wide range of social contributions throughout their careers; and

WHEREAS, A Social Worker's career is one filled with purpose and possibilities; and

WHEREAS, Social Workers help thousands of Kansans lead more rewarding lives: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize and commemorate the month of March as Professional Social Work Month; and

Be it further resolved: That we acknowledge and appreciate the skills, knowledge, ethics and supervision necessary to be an outstanding Social Worker; and

Be it further resolved: That we recognize, congratulate and commend the dedication and commitment of the more than 6,000 Social Workers practicing in Kansas; and

Be it further resolved: That we recognize, appreciate and commend the efforts of the hundreds of students who are currently studying to become Social Workers to join in long and successful careers making lives better for others.

On emergency motion of Senator V. Schmidt **SR 1829** was adopted unanimously.

Senator V. Schmidt introduced Kirsten (Joiner) Flax, Stacey Pershall, Elizabeth Culbreth, Kelli Verble, Catie Rech and Kelsey Nepote in recognition of Social Work Month.

REPORT ON ENGROSSED BILLS

SB 494 reported correctly engrossed March 3, 2010.

REPORTS OF STANDING COMMITTEES

Committee on **Business and Labor** begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

Public Employees Relations Board: K.S.A. 2009 Supp. 75-4323

Keith A. Lawing, term expires March 15, 2013

Committee on **Commerce** begs leave to submit the following report:

The following appointments were referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointments:

By the Governor:

Kansas Development Finance Authority: K.S.A. 74-8903

Audrey Langworthy, term expires January 15, 2013

Kansas Technology Enterprise Corporation: K.S.A. 2009 Supp. 74-8101

Steven F. Warren, term expires January 15, 2014

Secretary of Commerce: K.S.A. 2009 Supp. 74-5002a

William R. Thornton, serves at the pleasure of the Governor

Committee on **Education** recommends **HB 2433**, as amended by House Committee of the Whole, be passed.

Committee on **Federal and State Affairs** recommends **HB 2445**, as amended by House Committee, be passed.

Committee on **Financial Institutions and Insurance** recommends **HB 2492** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Public Health and Welfare** begs leave to submit the following report:
The following appointments were referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointments:

By the Governor:
University of Kansas Hospital Authority: K.S.A. 2009 Supp. 76-3304
Deryl Wynn, term expires March 15, 2013
Mark R. Jorgenson, term expires March 15, 2012

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 Umbarger in the chair.

On motion of Senator Umbarger the following report was adopted:

Recommended **SB 544** be passed.

Sub for SB 501 be amended by adoption of the committee report recommending a substitute bill, be amended by motion of Senator Kelsey on page 2, in line 23, preceding "or" by inserting ", "licensed perfusionist", "licensed clinical perfusionist" "; in line 25, by striking "LCP" and inserting "LP", "LCP" or "CCP" ";

On page 3, in line 4, by striking the semicolon and inserting a colon; in line 30, by striking all following the period; by striking all in lines 31 through 33 and inserting "Such temporary license is valid (1) for one year from the date of issuance or (2) until the board makes a final determination on the applicant's request for licensure. The board may extend a temporary license, upon a majority vote of the members of the board, for a period not to exceed one year.";

On page 4, in line 1, following "(1)" by inserting "(A)"; in line 2, by striking "and"; in line 4, by striking "(2)" and inserting "(B)"; in line 8, by striking "(3)" and inserting "(C)"; in line 10, by striking "(4)" and inserting "(D)"; in line 12, by striking the period and inserting "; and"; in line 13, by striking "(5)" and inserting "(E)"; in line 15, by striking the period and inserting "; or"; in line 16, by striking "(6)" and inserting "(2)";

On page 6, in line 11, by striking "on-line" and inserting "On-line"; in line 14, by striking "late" and inserting "Late"; in line 17, by striking "\$50" and inserting "\$300" and **Sub for SB 501** be passed as amended.

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 **Sub SB 501**, **SB 544** were advanced to Final Action and roll call.

Sub SB 501, An act concerning the Kansas board of healing arts; relating to licensure and education of perfusionists; establishing perfusion council.

On roll call, the vote was: Yeas 38, Nays 2, 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, Huntington, Kelly, Kelsey, Kultala, Lee, Lynn, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Huelskamp, Pyle.

The substitute bill passed, as amended.

SB 544, An act concerning the metropolitan transit authority act; definitions; amending K.S.A. 12-2802 and repealing the existing section.

On roll call, the vote was: Yeas 38, Nays 2, 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, Huntington, Kelly, Kelsey, Kultala,

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Lee, Lynn, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Huelskamp, Pyle.

The bill passed.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Thursday, March 4, 2010.

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

PAT SAVILLE, *Secretary of the Senate.*

