

# Journal of the Senate

FORTY-EIGHTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Friday, March 19, 2010—8:00 a.m.

The Senate was called to order by Vice President John Vratil.  
The roll was called with thirty-four senators present.  
Senators Barnett, Brungardt, Colyer, Haley, Huelskamp and Taddiken were excused.  
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,  
I've observed that there are people  
Who show me some respect,  
While others whom I treat the same  
Have a tendency to reject.

I've wondered if other people  
Have this experience, too;  
Wondering why some folks listen,  
While other folks ignore you.

I try to treat folks equally,  
And treat them with respect,  
But why do some respond so well  
And others won't connect?

Then I thought of something  
That Jesus said in Your book;  
So I opened up my Bible  
And took another look.

In His Sermon on the Mount He told us that we should rejoice and be glad  
when people insult us because of Him, because we have a reward in Heaven like  
the prophets who were also insulted.

Well, I haven't rejoiced as much as I should,  
But You helped me to understand  
That Your Son was despised and rejected,  
And He was a perfect man.

I thank You in the Name of Jesus Christ,

AMEN

The Pledge of Allegiance was led by Vice President John Vratil.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Public Health and Welfare: **HCR 5034.**

Utilities: **HB 2729.**

**CONSIDERATION OF MOTIONS TO CONCUR OR NONCONCUR**

On motion of Senator Owens the Senate nonconcurred in the House amendments to **SB 369** and requested a conference committee be appointed.

The Vice President appointed Senators Owens, D. Schmidt and Haley as a conference committee on the part of the Senate.

On motion of Senator Owens the Senate nonconcurred in the House amendments to **SB 386** and requested a conference committee be appointed.

The Vice President appointed Senators Owens, D. Schmidt and Haley as a conference committee on the part of the Senate.

On motion of Senator Donovan the Senate nonconcurred in the House amendments to **SB 430** and requested a conference committee be appointed.

The Vice President appointed Senators Donovan, D. Schmidt and Holland as a conference committee on the part of the Senate.

On motion of Senator Owens the Senate nonconcurred in the House amendments to **SB 439** and requested a conference committee be appointed.

The Vice President appointed Senators Owens, D. Schmidt and Haley as a conference committee on the part of the Senate.

On motion of Senator Owens the Senate nonconcurred in the House amendments to **H Sub for SB 458** and requested a conference committee be appointed.

The Vice President appointed Senators Owens, D. Schmidt and Haley as a conference committee on the part of the Senate.

**REPORTS OF STANDING COMMITTEES**

Committee on **Commerce** recommends **Substitute for HB 2538** be amended by substituting a new bill to be designated as "SENATE Substitute for Substitute for HOUSE BILL No. 2538," as follows:

"SENATE Substitute for Substitute for HOUSE BILL No. 2538

By Committee on Commerce

"AN ACT concerning economic development; pertaining to the promoting employment across Kansas act; pertaining to qualifications for benefits under such act; duties of secretary of revenue; reporting requirements; amending K.S.A. 2009 Supp. 74-50,103, 74-50,108, 74-50,210, 74-50,211, 74-50,212, 74-50,213, 74-50,214, 74-8010, 79-32,153 and 79-32,160a and repealing the existing sections."; and the substitute bill be passed.

Committee on **Ethics and Elections** recommends **HB 2079** be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2079," as follows:

"SENATE Substitute for HOUSE BILL No. 2079

By Committee on Ethics and Elections

"AN ACT concerning the campaign finance act; pertaining to coverage for certain retention elections; amending K.S.A. 25-4153 and K.S.A. 2009 Supp. 25-4143 and repealing the existing sections."; and the substitute bill be passed.

Also, **SB 542** be amended on page 1, by striking all in lines 18 through 43;

By striking all of pages 2 through 10;

On page 11, by striking all in lines 1 through 25;

And by renumbering the remaining sections accordingly;

Also on page 11, in line 32, by striking "first Tuesday"; in line 33, by striking "in August" and inserting "second Tuesday in September"; by striking all in lines 38 through 43;

By striking all of pages 12 through 14;

On page 15, by striking all in lines 1 through 12;

And by renumbering the remaining sections accordingly;

Also on page 15, in line 20, by striking "first Tuesday in August" and inserting "second Tuesday in September"; by striking all in lines 24 through 43;

By striking all of page 16;

On page 17, by striking all in lines 1 through 21;

And by renumbering the remaining sections accordingly;

Also on page 17, in line 28, by striking “first Tuesday”; in line 29, by striking “in August” and inserting “second Tuesday in September”; by striking all in lines 34 through 43;

By striking all of pages 18 and 19;

On page 20, by striking all in lines 1 through 12;

And by renumbering the remaining sections accordingly;

Also on page 20, in line 19, by striking “first Tuesday”; in line 20, by striking “in August” and inserting “second Tuesday in September”; by striking all in lines 25 through 43;

By striking all of page 21;

On page 22, by striking all in lines 1 through 37;

And by renumbering the remaining sections accordingly;

Also on page 22, in line 38, by striking all after “K.S.A.”; by striking all in lines 39 through 41; in line 42, by striking all before “are” and inserting “25-1115, 25-2006, 25-2102 and 25-2502”;

In the title, in line 10, by striking all after “K.S.A.”; by striking all in lines 11 through 13; in line 14, by striking all before “and” where it appears for the last time and inserting “25-1115, 25-2006, 25-2102 and 25-2502”; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2585** be amended by substituting a new bill to be designated as “SENATE Substitute for HOUSE BILL No. 2585,” as follows:

“SENATE Substitute for HOUSE BILL No. 2585

By Committee on Judiciary

“AN ACT concerning journalists; providing a privilege with regard to certain disclosures of information.”;

and the substitute bill be passed.

Also, **SB 488**, as amended by Senate Committee of the Whole, be amended on page 1, by striking all in lines 19 through 43;

On page 2, by striking all in lines 1 through 10; also on page 2, by striking all in lines 39 through 43;

By striking all on page 3 and 4;

On page 5, by striking all in lines 1 through 7 and inserting the following:

“Sec. 2. K.S.A. 65-2402 is hereby repealed.”;

And by renumbering the sections accordingly;

In the title, in line 14, by striking “office of vital statistics” and inserting “powers and duties; fingerprinting and criminal history records checks for certain new employees”; in line 15, by striking “65-177 and”; also in line 15, by striking “and K.S.A. 2009 Supp.”; in line 16, by striking “65-2422d”; also in line 16, by striking “sections” and inserting “section”; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 572** be amended on page 1, in line 38, by striking “and” and inserting a comma; in line 39, before the semicolon by inserting “, the president of the senate, the minority leader of the senate, the speaker of the house of representatives, and the minority leader of the house of representatives”;

On page 2, in line 32, by striking “supreme court law”; in line 33, by striking “library and in the”; also in line 33, by striking “state law”; in line 34, by striking “librarian and the”; also in line 34, by striking “, respectively, shall request” and inserting “requests”; in line 35, by striking “law library and the”; also in line 35, by striking the comma and inserting “and”; in line 37, by striking “and for the purpose of making exchanges with the”; in line 38, by striking “various states and territories.”;

On page 3, in line 1, after the period by inserting “Upon request of such legislator, the set shall have such legislator’s name printed thereon.”; in line 4, after “statutes” by inserting “, the number of copies necessary to conduct the official business of such office.”; in line 5, after “department” by inserting “, the number of copies necessary to conduct the official business of such department.”; in line 6, after “audit” by inserting “, the number of copies necessary to conduct the official business of such division.”; in line 7, after the semicolon by inserting “and”; also in line 7, after “services” by inserting “, the number of copies necessary to conduct the official business of such division.”; in line 8, by striking “; and (E) to the”; by striking all in line 9; in line 10, by striking “court shall request”; in line 11, by striking all after “distribute”; by striking all in line 12; in line 13, by striking all before “one”;

in line 14, by striking all after “general”; by striking all in lines 15 through 34; in line 35, by striking all before the period;

On page 4, in line 28, by striking “all” and inserting “the”; also in line 28, by striking “, county officers and other” and inserting a comma; in line 29, by striking “and officers the same number of sets and” and inserting “, divisions and offices”; and the bill be passed as amended.

On motion of Senator D. Schmidt, the Senate recessed until the sound of the gavel.

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

#### REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2039** be amended by substituting a new bill to be designated as “SENATE Substitute for HOUSE BILL No. 2039,” as follows:

“SENATE Substitute for HOUSE BILL No. 2039

By Committee on Judiciary

“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.”;

and the substitute bill be passed.

Committee on **Transportation** recommends **SB 577** be amended on page 6, in line 4, by striking “2012” and inserting “2013”;

On page 11, in line 7, by striking “2012” and inserting “2013”; and the bill be passed as amended.

Also, **HB 2561**, as amended by House Committee, be amended on page 1, in line 17, preceding the period, by inserting “in Johnson county”; following line 29, by inserting the following:

“(e) Annually, prior to the 10th day of each regular session of the legislature, the secretary of transportation and persons designated by the board of county commissioners of Johnson county shall report to the legislature concerning the implementation and operation of the program authorized by this section.”; and the bill be passed as amended.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Monday, March 22, 2010.

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

PAT SAVILLE, *Secretary of the Senate.*

