

# SENATE CALENDAR

No. 54

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Thursday, April 28, 2011  
SENATE CONVENES AT 10:00 AM

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## Order of Business

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ROLL CALL

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INVOCATION AND PLEDGE OF ALLEGIANCE

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INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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## Reference of Bills and Concurrent Resolutions

**2382—**

**HB 2382**, AN ACT making and concerning appropriations for the fiscal years ending June, 30, 2011, June 30, 2012, and June 30, 2013, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing.

Committee on Appropriations

(Ways and Means)

**2390—**

**HB 2390**, AN ACT concerning KAN-ED; amending K.S.A. 2010 Supp. 66-2010 and repealing the existing section; also repealing K.S.A. 2010 Supp. 75-7221, 75-7222, 75-7223, 75-7224, 75-7225, 75-7226, 75-7227 and 75-7228.

Committee on Appropriations

(Utilities)

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## Reference of Appointments

*By the Governor:*

*Employment Security Board of Review:*

Patricia Bossert, Member, to serve a four year term, expiring March 15, 2014

Hylaurd Wayne Maichel, Member, to serve a four year term, expiring March 15, 2015

(Commerce)

*Kansas Corporation Commission:*

Mark Sievers, Member, to serve a four year term, expiring March 15, 2015

(Utilities)

*Kansas Development Finance Authority:*

Donald Linville, Member, to serve a four year term, expiring January 15, 2015

(Commerce)

*Kansas National Guard:*

Keith Lang, Brigadier General, serves at the pleasure of the Governor

(Federal and State Affairs)

*Kansas Public Employees' Retirement Board of Trustees:*

Terry Matlack, Member, to serve a four year term, expiring January 15, 2015

(Ways and Means)

*Pooled Money Investment Board:*

Robert Chestnut, Member, to serve a four year term, expiring March 15, 2012

(Financial Institutions and Insurance)

*Racing and Gaming Commission:*

Rick Petersen-Klein, Executive Director, serves at the pleasure of the Governor

(Federal and State Affairs)

*State Civil Service Board:*

Phyllis Setchell, Member, to serve a four year term, expiring March 15, 2015

(Federal and State Affairs)

*State Gaming Agency:*

Mark Dodd, Executive Director, serves at the pleasure of the Governor

(Federal and State Affairs)

*State Library:*

Joanne Budler, Librarian, serves at the pleasure of the Governor

(Federal and State Affairs)

*Wildlife and Parks:*

Robin Jennison, Secretary, serves at the pleasure of the Governor

(Natural Resources)

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MESSAGES FROM THE GOVERNOR

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COMMUNICATIONS FROM STATE OFFICERS

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MESSAGES FROM THE HOUSE

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**Consideration of Motions to Concur or Nonconcur**

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REPORTS OF SELECT COMMITTEES

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## Consideration of Appointments

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### Consent Calendar

(Senate action to be taken on third day or thereafter)

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## Final Action on Bills and Concurrent Resolutions

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INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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CORRECTION AND APPROVAL OF THE JOURNAL

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CONSIDERATION OF MOTIONS AND SENATE RESOLUTIONS

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REPORTS OF STANDING COMMITTEES

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## General Orders

**2357—**

**HB 2357**, AN ACT creating the Arkansas river gaging fund.

Committee on Appropriations

(Ways and Means)

(Be Passed as Amended)

**Sub 7—**

**Sub SB 7**, AN ACT concerning driving under the influence; relating to testing; administrative penalties; crimes, punishment and criminal procedure; amending K.S.A. 8-285, 8-1008, 8-1009, 8-1016, 8-1017, 12-4414, 12-4415, 12-4416, 22-2908, 22-3610, 22-4704 and 22-4705 and K.S.A. 2009 Supp. 8-1567, as amended by section 3 of chapter 153 of the 2010 Session Laws of Kansas, and K.S.A. 2010 Supp. 8-235, 8-262, 8-2,142, 8-2,144, 8-1001, 8-1012, 8-1013, 8-1014, 8-1015, 8-1020, 8-1022, 12-4104, 12-4106, 12-4516, 12-4517, 22-2802, 22-2909, 22-3717, 28-176, 60-427, 74-2012 and 74-7301 and sections 14, 254, 285 and 292 of chapter 136 of the 2010 Session Laws of Kansas and repealing the existing sections; also repealing K.S.A. 2009 Supp. 21-4704, as amended by section 6 of chapter 147 of the 2010 Session Laws of Kansas, 22-2908, as amended by section 9 of chapter 101 of the 2010 Session Laws of Kansas, and 22-2909, as amended by section 10 of chapter 101 of the 2010 Session Laws of Kansas, and K.S.A. 2010 Supp. 8-1020a, 8-1567, 21-4704 and 22-3717c.

Committee on Judiciary

(Judiciary)

(Be Passed)

**216—**

**SB 216**, AN ACT concerning emergency medical services; amending K.S.A. 65-6102, 65-6110, 65-6126, 65-6132 and 65-6133 and K.S.A. 2010 Supp. 65-6112, 65-6120, 65-6121, 65-6123, 65-6129 and 65-6144 and repealing the existing sections.

Committee on Ways and Means  
(Public Health and Welfare)  
(Be Passed as Amended)

**54—**

**SB 54**, AN ACT concerning alcoholic beverages; relating to retailer's licenses under the Kansas liquor control act; amending K.S.A. 41-713 and 41-1101 and K.S.A. 2010 Supp. 41-102, 41-301, 41-303, 41-311, 41-313, 41-326 and 79-4108 and repealing the existing sections; also repealing K.S.A. 41-103, 41-308 and 41-711.

Committee on Federal and State Affairs  
(Federal and State Affairs)  
(Be Passed as Amended)

**43—**

**SB 43**, AN ACT concerning certain public officers and employees; amending K.S.A. 25-4142 and 46-269 and K.S.A. 2010 Supp. 25-4143 and 25-4157a and repealing the existing sections.

Committee on Ethics and Elections  
(Ethics and Elections)  
(Be Passed as Amended)

**56—**

**SB 56**, AN ACT concerning crimes and punishment; relating to criminal sodomy; amending section 68 of chapter 136 of the 2010 Session Laws of Kansas and repealing the existing section; also repealing K.S.A. 2010 Supp. 21-3506.

Committee on Judiciary  
(Judiciary)  
(Be Passed)

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## Bills Adversely Reported

## Status of Bills and Resolutions

**Senate bills passed in Senate:** Nos. 1, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 17, 21, H Sub 23, 24, 25, 28, Sub 33, 34, 35, H Sub 36, 37, 38, 40, 41, 45, 46, Sub 50, 51, 52, 55, 58, 59, 60, 61, 62, 63, 65, 67, Sub 72, 74, 76, 77, 79, 80, Sub 81, 83, 85, 90, Sub 92, 93, 97, 100, H Sub 101, 103, 104, 108, Sub 111, 112, 114, 115, 116, 118, 119, 120, 122, 123, 124, 125, 126, Sub 127, 128, 129, 133, 134, 135, 136, Sub 138, 139, 142, 143, 145, 150, 152, 154, 155, Sub 159, 160, 170, 176, 177, 179, 182, 185, 186, 188, 191, 193, 196, 198, 201, 210, 211, 212, H Sub 213, H Sub 214, 215, 223, 224, 225, 227, 229, Sub 234

**Senate bills killed in Senate:**

**Senate bills passed by the House:** Nos. 9, 12, 15, H Sub 23, 24, H Sub 36, 38, 67, Sub 72, 80, H Sub 101, 103, 112, 119, 122, 123, 125, 136, 152, 179, 185, 186, 188, 198, 210, 212, H Sub 213, H Sub 214, 215, 224, 227, 229

**Senate bills killed in the House:** Nos. Sub 33, 65, 85

**Senate bills in conference:** Nos. H Sub 6, 10, 11, 14, H Sub 37, Sub 50, H Sub 55, H Sub 60, 61, H Sub 63, 76, 77, 83, 93, 115, 124, H Sub for Sub 127, H Sub 129, 134, 143, 150, 170, 193, H Sub 196

**Senate bills awaiting the signature of the Governor:**

**Senate bills signed by the Governor:** Nos. 9, 12, 15, 24, 38, Sub 72, 80, H Sub 101, 103, 112, 119, 122, 125, 152, 179, 185, 186, 188, 198, 210, 212, 215, 224, 227, 229

**Senate bills signed by the Governor and published in Kansas register:** Nos. 12, 80, H Sub 101, 210, 212

**Senate bills becoming law without Governor's signature:**

**Senate bills vetoed by Governor:**

**Senate bills line item vetoed by Governor:**

**Senate bills becoming law notwithstanding Governor's veto:**

**Senate resolutions adopted:** Nos. 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848

**Senate resolutions killed:** No. 1817

**Senate concurrent resolutions adopted:** Nos. 1602, 1605, 1606, 1608

**Senate concurrent resolutions killed:**

**Senate concurrent resolutions adopted by House:** Nos. 1602, 1605

**Senate concurrent resolutions killed in House:**

**Senate concurrent resolutions in conference:**

**House bills passed in Senate:** Nos. 2001, 2003, S Sub 2008, 2010, 2013, S Sub 2014, 2015, 2020, 2023, 2027, 2028, 2029, 2030, 2033, 2035, 2038, 2044, S Sub 2049, 2056, 2057, 2060, 2067, S Sub 2071, 2074, 2075, 2076, 2078, S Sub 2080, 2082, 2083, 2104, 2105, 2118, 2119, 2122, 2124, 2125, S Sub 2132, S Sub 2133, Sub 2134, Sub 2135, 2139, 2147, S Sub 2149, 2151, S Sub 2158, 2172, 2175, 2182, 2184, Sub 2191, 2192, S Sub 2194, 2195, 2205, 2218, 2227, 2240, S Sub 2251, 2258, S Sub 2267, Sub 2271, 2282, 2312, 2339

**House bills killed in the Senate:** No. 2006

**House bills in conference:** Nos. 2010, S Sub 2014, 2015, 2044, S Sub 2049, S Sub 2071, 2075, 2119, S Sub 2133, 2139, 2175, 2182, Sub 2191, S Sub 2194, 2195, 2240, 2282, 2312

**House concurrent resolutions adopted by the Senate:** Nos. 5001, 5002, 5003, 5009, 5014, 5021

**House concurrent resolutions killed in the Senate:****House concurrent resolutions in conference:****Executive Reorganization Order approved:** No. 34**Executive Reorganization Order disapproved:** No. 39**Bills in Senate Committees****Agriculture--**

Senate Bills: No. 148

House Bills:

Executive Reorganization Order: No. 40

**Assessment and Taxation--**

Senate Bills: Nos. H Sub 1 (referred), 86 (rereferred), 87 (rereferred), Sub 95 (referred), 98 (rereferred), 109 (rereferred), 197 (rereferred), 232

House Bills: Nos. 2117, 2157 (rereferred), Sub 2161, 2392 (rereferred)

House Concurrent Resolutions: No. 5017

**Commerce--**

Senate Bills: Nos. 42 (rereferred)(separately), 110, 137 (rereferred), 140, 157 (rereferred), 171, 189, 219

House Bills: No. 2054 (referred)

Executive Reorganization Order: No. 37

**Confirmation Oversight--**

Senate Bills:

House Bills:

**Education--**

Senate Bills: Nos. 18 (rereferred), 19 (rereferred), 20 (rereferred), 22, 27, 32, 57, 68, 69, 70 (rereferred), 75 (rereferred), 144, 202 (rereferred), 228, 230

House Bills: Nos. Sub 2004 (rereferred), 2200 (rereferred), 2269

**Ethics and Elections--**

Senate Bills: Nos. 31 (rereferred), 66, 102 (rereferred), 130 (rereferred), 166, 168, 169, 172, 222, 242

House Bills: No. 2130 (referred)(separately)

**Federal and State Affairs--**

Senate Bills: Nos. 26 (rereferred), 53, 82, 121 (referred), 149, 161, 162, 174, 181, 203, 204, 220 (referred), 237, 241, 246

Senate Concurrent Resolutions: Nos. 1601, 1607

House Bills: Nos. 2107, 2120, Sub 2178, Sub 2188, Sub 2229, Sub 2340, 2386

House Concurrent Resolutions: Nos. 5016, 5020

**Financial Institutions and Insurance--**

Senate Bills: Nos. 64, 71 (rereferred), 153, 167, 178 (rereferred), Sub 206 (rereferred), 226

House Bills: No. 2077 (rereferred)

**Interstate Cooperation--**

Senate Bills:

House Bills:

**Judiciary--**

Senate Bills: Nos. 39 (rereferred), 44, 47, 48, 73, 84, 94, 96, 105, 106, 107, 146 (rereferred), 158, 164, 165 (rereferred), 175, 217, 231, 239

Senate Concurrent Resolutions: Nos. 1603, 1604

House Bills: Nos. 2070, 2087, 2101, Sub 2318, 2329, 2371

House Concurrent Resolutions: No. 5007

**KPERS Select--**

Senate Bills: No. 49 (rereferred)

House Bills: No. Sub 2333

**Local Government--**

Senate Bills: Nos. 131 (rereferred), 163, 180, 194, 207, 244

House Bills: Nos. 2066, 2088, 2294

**Natural Resources--**

Senate Bills: Nos. 187 (rereferred), 200 (rereferred)

House Bills:

Executive Reorganization Order: No. 36 (corrected)

**Organization, Calendar and Rules--**

Senate Bills:

House Bills:

**Public Health and Welfare--**

Senate Bills: Nos. 4, 29, 88, 91, 99, 117, 132 (rereferred), 141, 184, 192, 195

House Bills: No. 2241 (rereferred)

**Reapportionment--**

Senate Bills:

House Bills:

**Transportation--**

Senate Bills: Nos. 151 (rereferred), 183, 218

House Bills: Nos. 2034 (rereferred), 2169 (rereferred), 2230 (rereferred)

**Utilities--**

Senate Bills: Nos. 30 (rereferred), 190

House Bills: No. 2141 (rereferred)

House Concurrent Resolutions: Nos. 5022, 5023

**Ways and Means--**

Senate Bills: Nos. 2, 3, 16, 42 (rereferred)(separately), 78 (rereferred), 89, 113, Sub 147 (referred), 156, 173, 199, 205 (referred), 208, 209, 221, 233, 235, 236, 238, 240, 243, 245

House Bills: Nos. 2017 (referred), 2031 (referred), 2042 (referred), Sub 2069 (referred), 2128 (referred), 2140, 2196 (referred), Sub 2221, 2231, S Sub 2249 (referred), Sub 2296, 2336, 2374, 2383

Executive Reorganization Order: Nos. 35 (corrected), 38

## Senate Committee Agenda

The following is a tentative schedule of Senate Committees and is subject to change from day to day. Committees not listed have no meetings scheduled.

New or changed material for the present week will be printed in *italics*.

On Call Committees and Joint Committees will be listed at the end of the Agenda. Sub-Committees will be listed at the time of the Committee's regular meeting.

Persons who need assistance in order to take part in a committee meeting should contact the committee secretary at least two working days prior to the meeting.

## 2011

### SENATE COMMITTEE MEETING SCHEDULE

TIME		MEETING ROOM
8:30 a.m.	Agriculture - Tuesday and Wednesday	159-S
	Commerce	548-S
	Natural Resources - Thursday and Friday	159-S
	Transportation - Tuesday through Friday	152-S
9:30 a.m.	Ethics & Elections - Wednesday and Thursday	159-S
	Financial Institutions and Insurance	152-S
	Judiciary	548-S
	Local Government - Monday and Tuesday	159-S
10:30 a.m.	Assessment and Taxation	152-S
	Federal and State Affairs	144-S
	Ways and Means	548-S
1:30 p.m.	Education	152-S
	Public Health & Welfare	546-S
	Utilities	548-S

## Week of April 25 - 30

### Thursday, April 28

*10:00 a.m. Session - Final Action, if necessary*

*2:00 p.m. - Reconvene*

### Friday, April 29

*10:00 a.m. Session - Final Action, if necessary*

*2:00 p.m. - Reconvene*



**Reapportionment**

**8:30 a.m.** Theresa Kiernan, Committee Assistant--296-6817 144-S

Anyone wishing to appear before the Committee should contact the Committee Assistant at 296-6817 or email [theresa.kiernan@senate.ks.gov](mailto:theresa.kiernan@senate.ks.gov). Unless advance arrangements are made, 30 copies of written testimony must be submitted to Room 559-S no later than 9:30 on the working day which precedes the date of the hearing.

Thursday, April 28

Organizational meeting

**Federal and State Affairs**

**10:30 a.m.** Connie Burns, Committee Assistant--296-4335 144-S

Friday, April 29 - *Note time change: 9:00 a.m.*

*Confirmation hearings:*

*Colonel Keith Lang, Brigadier General, Kansas National Guard*

*Phillis Setchell, member, State Civil Service Board*

*Rick Petersen-Klein, Kansas Racing and Gaming Commission*

*Mark Dodd, State Gaming Agency*

*Joanne Budler, Kansas State Librarian, re-appointment*

**On Call Committees and Joint Committees****Joint Committee on Administrative Rules and Regulations**

**8:00 a.m.** Contact: Raney Gilliland--296-7878 142-S

Friday, April 29

*Announcements; approval of April 27, 2011 minutes*

*Review and comment on proposed rules and regulations noticed for hearing by the Kansas Corporation Commission:*

*Transportation of natural and other gas by pipeline; minimum safety standards*

**Joint Committee on State Building Construction**

**12:00 noon** Gary Deeter, Committee Assistant--296-7678 144-S

Thursday, April 28

Lease and Change Orders

## Week of May 2 - 6

### Utilities

**1:30 p.m.**                      **Heather O'Hara, KLRD--296-7792**                      **548-S**

Monday, May 2 - 12:00 noon - Room 152-S

Confirmation hearing:

Mark Sievers, Kansas Corporation Commission

Staff briefing on:

**HB 2390**--KAN-ED act; repeal

Tuesday, May 3 - 12:00 noon - Room 152-S

Hearing on:

**HB 2390**--KAN-ED act; repeal

Wednesday, May 4 - 12:00 noon - Room 152-S

Possible action on bills previously heard

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### Doctor of the Day

**Telephone #296-7397**

**Pager #231-3434**

**540-E**

Thursday, April 28

Sheryl Beard, MD, Andover

Friday, April 29

Bob Kraft, MD, Salina

Mona Gambone, Carol Kirkwood, *Calendar Clerks*

Pat Saville,

*Secretary of the Senate*

