

Journal of the Senate

TWENTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 16, 2012, 2:30 p.m.

The Senate was called to order by Vice President John Vratil.

The roll was called with forty senators present.

The Vice President introduced as guest chaplain, Reverend Jon Sapp, Director of Evangelism & Collegiate Ministries, Topeka, who delivered the invocation.

Our Heavenly Father, we come to thank you today for the many ways You give us direction. Today, we pray for each of these that are assembled here in the Kansas Senate. In all the information and data that come their way, give them insight. Enable them to understand the wise directions they should chose as they formulate the policy decisions for our state. Guide them.

Our Father, the comfort of the present that these have worked so hard to achieve, can be seductive. Those fond memories of the past can be so tempting as to keep us here at where we are today. And so, our loving Heavenly Father, guide all of us forward into the future.

In regard to this future for which all of us are working, we ask You to give us planning wisdom, courage for implementation and endurance to carry out the plans that are being developed.

Oh God of our future, show us the way. Make our plans and the plans of this body wise as they serve the people of Kansas. We look to You this day for direction. Hear our prayer, in Jesus name....Amen

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

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 430**.

Commerce: **HB 2510**.

Financial Institutions and Insurance: **SB 431; HB 2486, HB 2505**.

Judiciary: **Sub HB 2207**.

Natural Resources: **SB 432**.

Utilities: **HB 2489, HB 2526**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2121, HB 2253, HB 2516, HB 2535, HB 2546**.
Also, passage of **SB 272**, as amended.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2121, HB 2253, HB 2516, HB 2535, HB 2546 were thereupon introduced and read by title.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Ostmeyer moved the Senate concur in House amendments to **H Sub for SB 191**.

H Sub for SB 191, AN ACT concerning the Kansas department of agriculture; authorizing certain fees; creating the laboratory testing services fee fund.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

FINAL ACTION ON CONSENT CALENDAR

SB 395; HB 2428, HB 2490 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

SB 395, AN ACT concerning the Kansas probate code; relating to intestate succession; amending K.S.A. 59-6a209 and repealing the existing section; also repealing K.S.A. 59-505.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2428, AN ACT concerning health care providers; relating to the university of Kansas medical center; amending K.S.A. 2011 Supp. 65-4915 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger,

Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2490, AN ACT concerning doctor of nursing practice degrees at Washburn university; amending K.S.A. 72-6508 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 102, AN ACT concerning the governmental ethics commission; amending K.S.A. 46-268 and 46-269 and K.S.A. 2011 Supp. 25-4119f, 25-4145, 25-4148 and 46-265 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 32; Nays 8; Present and Passing 0; Absent or Not Voting 0.

Yeas: Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Marshall, Masterson, McGinn, Morris, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Abrams, Lynn, Merrick, Olson, Ostmeyer, Pilcher-Cook, Pyle, Steineger.

The bill passed, as amended.

SB 281, AN ACT concerning the Kansas judicial council; relating to the commission on judicial performance; amending K.S.A. 2011 Supp. 20-3201 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 25; Nays 15; Present and Passing 0; Absent or Not Voting 0.

Yeas: Apple, Bruce, Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

Nays: Abrams, Donovan, Kelsey, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Steineger, Taddiken, Wagle.

The bill passed, as amended.

SB 299, AN ACT concerning alcoholic beverages; relating to the club and drinking establishment act; creating a public venue license; amending K.S.A. 41-306, 41-306a, 41-307, 41-308, 41-701, 41-2608, 41-2613, 41-2614, 41-2640, 79-4101, 79-4102, 79-4103, 79-41a01, 79-41a02, 79-41a04, 79-41a06, 79-41a07 and 79-41a08 and K.S.A. 2011 Supp. 41-308a, 41-2601, 41-2622, 41-2629 and 79-41a03 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 37; Nays 3; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-

Cook, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Kelsey, McGinn, Pyle.

The bill passed, as amended.

SB 305, AN ACT concerning criminal procedure; relating to trials; time limitations; competency proceedings; amending K.S.A. 22-3402 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, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 306, AN ACT concerning crimes, punishment and criminal procedure; relating to intimidation of a witness; amending K.S.A. 2011 Supp. 21-5909 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, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

Sub for SB 307, AN ACT concerning crimes, punishment and criminal procedure; relating to lesser included crimes; murder in the first degree; amending K.S.A. 2011 Supp. 21-5109 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, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed.

SB 316, AN ACT concerning the Kansas department of wildlife, parks and tourism; relating to updating references and corresponding changes due to transfer of powers and duties from the department of commerce; amending K.S.A. 2-2473, 19-2803b, 19-2803d, 19-2817, 19-2822, 19-2835, 19-2836, 19-2839, 19-2844, 19-2844a, 19-2855, 19-2868, 19-2873, 19-2894, 19-3543, 32-802, 32-806, 32-807, 32-809, 32-832, 32-839, 32-840, 32-845, 32-846, 32-869, 32-874, 32-874c, 32-886, 32-887, 32-888, 32-976, 32-1040, 32-1041, 32-1049, 32-1051, 32-1052, 32-1053, 32-1203, 49-408, 58-3221, 58-3225, 65-189e, 68-406, 74-134, 74-3322, 74-5032, 74-5032a, 74-5090, 74-6614, 74-7901, 75-3339, 75-3907, 75-3908, 75-3910, 76-463, 79-3221e, 79-32,203, 82a-209 and 82a-326 and K.S.A. 2011 Supp. 2-1334, 21-5810, 21-6416, 32-701, 32-801, 32-805, 32-

833, 32-844, 32-873, 32-874a, 32-874b, 32-874d, 32-874e, 32-906, 32-918, 32-930, 32-932, 32-938, 32-966, 32-996, 32-997, 32-998, 32-999, 32-1001, 32-1004, 32-1005, 32-1031, 32-1032, 32-1049a, 32-1050, 32-1054, 32-1062, 32-1063, 32-1064, 32-1066, 32-1102, 32-1112, 32-1174, 32-1306, 32-1308, 32-1310, 47-2101, 65-3424b, 65-3483, 65-5703, 74-5,133, 74-2622, 74-4722, 74-4911f, 74-5005, 74-5089, 74-5091, 74-50,167, 74-50,168, 74-50,173, 74-5602, 74-9001, 74-9002, 74-9003, 74-9004, 74-9201, 75-1253, 75-2720, 75-2935, 75-37,121, 77-415, 77-421, 79-201a, 79-3221h, 79-3234, 79-3234b, 79-5212, 82a-220, 82a-903, 82a-1501, 82a-2001 and 82a-2204 and repealing the existing sections; also repealing K.S.A. 73-2101, 73-2102, 73-2103 and 73-2104 and K.S.A. 2011 Supp. 74-9005, 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, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 320, AN ACT concerning the revised Kansas juvenile justice code; relating to probable cause determinations; amending K.S.A. 2011 Supp. 38-2331, 38-2343 and 38-2354 and repealing the existing sections, 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, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 324, AN ACT concerning the board of pharmacy; relating to licensure of pharmacists and registration of pharmacist interns; amending K.S.A. 65-1632 and 65-1644 and K.S.A. 2011 Supp. 65-1643, 65-1645 and 65-1663 and repealing the existing sections, 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, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 325, AN ACT concerning controlled substances; relating to schedules IV and V; amending K.S.A. 2011 Supp. 65-4111 and 65-4113 and repealing the existing sections, 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, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco,

Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 331, AN ACT concerning the board of cosmetology; relating to licensure and renewal; amending K.S.A. 65-1904a 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, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 335, AN ACT designating the junction of interstate 70 and United States highway 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange, 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, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

EXPLANATION OF VOTE

MR. PRESIDENT: Bryan was called into service on that fateful morning of August 6th, 2011 – this time to fly Navy Seals into an Afghan valley to cut off enemy combatants. His Chinook was hit by a RPG and all on the chopper perished. It was the single largest loss of life in the Afghanistan war.

When Bryan entered the Army he made an oath to support and defend the Constitution with his life. That is called SELFLESS SERVICE. It is not a coincidence that we as servants of the people have taken the same oath: I do solemnly swear..... to support and defend the Constitution ...

No sign can commemorate the sacrifice that Bryan and Fallen Veterans have made to this nation more than our own daily actions - living up to that same oath we made - of Selfless Service to our country.

This sign will be a constant symbol and testimony to all who pass by Hays, through the heartland, that the cost of freedom belongs to us all but is paid, IN FULL, by only a few. Bryan and his fallen comrades have paid it for us. – ALLEN SCHMIDT

SB 341, AN ACT concerning cities; relating to dissolution of certain cities, 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, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 348, AN ACT concerning property appraisal and taxation; amending K.S.A. 79-304 and 79-1475 and K.S.A. 2011 Supp. 74-2433f, 79-1448, 79-1460, 79-1609, 79-1701a and 79-1702 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 26; Nays 14; Present and Passing 0; Absent or Not Voting 0.

Yeas: Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Huntington, Kelsey, King, Kultala, Longbine, Love, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Reitz, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil.

Nays: Abrams, Apple, Haley, Hensley, Holland, Kelly, Lynn, Merrick, Olson, Petersen, Pilcher-Cook, Pyle, A. Schmidt, Wagle.

The bill passed, as amended.

SB 369, AN ACT concerning taxation; relating to food sales tax refunds and homestead property tax refunds; certain confined persons; amending K.S.A. 79-3632 and 79-4505 and K.S.A. 2011 Supp. 79-3633 and 79-4502 and repealing the existing sections, 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, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 386, AN ACT concerning income taxation; relating to credits; business and job development; amending K.S.A. 2011 Supp. 79-32,153 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, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 403, AN ACT concerning the uniform principal and income act; relating to conversion of a trust into a unitrust; amending K.S.A. 2011 Supp. 58-9-105 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, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 404, AN ACT concerning the Kansas uniform trust code; relating to spendthrift trusts; amending K.S.A. 58a-502 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, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2451, AN ACT concerning water; relating to water right abandonment; amending K.S.A. 2011 Supp. 82a-718 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, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HCR 5017, A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas, relating to classification and taxation of watercraft, 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, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The resolution was adopted.

REPORT ON ENROLLED BILLS

SR 1818, SR 1819, SR 1820, SR 1821 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 16, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 267** be amended on page 1, in line 18, by striking all after "applicable"; by striking all in line 19; in line 20, by

striking all before "for"; in line 24, by striking all after the period; in line 25, by striking all before the first "the"; in line 28, by striking all after the period; by striking all in lines 29 and 30; in line 31, by striking all before "If" and inserting "No credit shall be allowed pursuant to this section after tax year 2015.";

On page 2, in line 43, by striking all after the colon;

On page 3, by striking all in line 1; in line 2, by striking all before "2011" and inserting "For tax years"; in line 3, by striking all after the period; by striking all in lines 4 through 10; in line 13, by striking all after "year"; by striking all in line 14; in line 15, by striking all before "2011"; and the bill be passed as amended.

Committee on **Education** recommends **SB 393** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL NO. 393," as follows:

"Substitute for SENATE BILL NO. 393

By Committee on Education

"AN ACT concerning career technical education; relating to secondary students; amending K.S.A. 72-4417 and 72-4419 and K.S.A. 2011 Supp. 71-201 and repealing the existing sections.";

And the substitute bill be passed.

Committee on **Federal and State Affairs** recommends **SB 301** be amended on page 1, in line 26, after "serve" by inserting "initial"; in line 28, by striking "five years" and inserting "one year"; in line 29, by striking "five"; in line 30, by striking "years" and inserting "one year"; in line 33, by striking "six" and inserting "two"; in line 36, after the period by inserting "Upon reappointment, members shall serve a term of four years.";

On page 2, in line 2, by striking "three" and inserting "four"; and the bill be passed as amended.

Also, **SB 387** be amended on page 1, in line 15, by striking "shall have a knowledge of building construction and"; in line 17, by striking "safety inspection and investigation" and inserting "fire prevention and inspection, safety inspection or investigation, or any combination thereof"; and the bill be passed as amended.

Committee on **Natural Resources** recommends **SB 252** 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 **Transportation** recommends **HB 2459** be amended on page 2, in line 2, after "further" by inserting "written and driving"; in line 3, by striking "or testing"; and the bill be passed as amended.

On motion of Senator Emler, the Senate adjourned until 8:00 a.m., Friday, February 17, 2012.

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

PAT SAVILLE, *Secretary of the Senate.*

