

Journal of the Senate

EIGHTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 7, 2013, 2:30 p.m.

The Senate was called to order by Vice President Jeff King.

The roll was called with thirty-eight senators present.

Senators Apple and Powell were excused.

Invocation by Father Don Davidson:

Heavenly Father, we your children are called upon many times in life to be new at something. It might be the first day of school, or that first date. It might be the first day of married life or as a parent. It could be the first day we try a new skill or a new sport or try as we might to figure out some new easy whiz-bang of technology.

Today we give thanks for the faithful and the fearless that have joined this body of legislators this year. We thank you for their willingness to serve and their personal desire to make their state and nation a wonderful place to live. May your grace be with them always.

We also celebrate the life of Margaret Ann Apple, the mother of our Senator Apple. May she rest this day in your arms. Amen

The Pledge of Allegiance was led by Vice President Jeff King.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolutions were introduced and read by title:

SB 150, AN ACT concerning the state and its municipalities; regarding specifications for certain contracts, by Committee on Ethics, Elections and Local Government.

SB 151, AN ACT concerning public officials; relating to term limits for senators and members of the house of representatives of the United States congress, by Committee on Ethics, Elections and Local Government.

SB 152, AN ACT concerning health insurance; pertaining to continuation of health insurance for spouse and dependent children of firefighters and law enforcement officers; amending K.S.A. 2012 Supp. 40-1709 and repealing the existing section, by Committee on Ways and Means.

SB 153, AN ACT concerning water; relating to dams; amending K.S.A. 2012 Supp. 82a-301, 82a-302 and 82a-303b and repealing the existing sections, by Committee on Ways and Means.

SB 154, AN ACT concerning utilities; relating to net metering; excess energy generated by customer-generator; amending K.S.A. 2012 Supp. 66-1266 and repealing the existing section, by Committee on Utilities.

Committee on Financial Institutions and Insurance introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. **1710**—

A RESOLUTION encouraging the state of Kansas to enter into a state partnership health insurance exchange.

WHEREAS, The patient protection and affordable care act (public law 111-148), as amended by the federal health care and education reconciliation act of 2010 provided that states have the option to establish their own health insurance exchange; and

WHEREAS, The time for the state of Kansas to establish its own health insurance exchange pursuant to the patient protection and affordable care act (public law 111-148), as amended by the federal health care and education reconciliation act of 2010 has passed; and

WHEREAS, If the state of Kansas wishes to have any control over any health care exchange which may sell health insurance policies in this state, then the state of Kansas should seriously consider entering into a state partnership health insurance exchange with the federal department of health and human services; and

WHEREAS, Entry into a state partnership health insurance exchange with the federal department of health and human services would be highly beneficial to the people of this state because the department of insurance then could continue to approve insurance rates, as well as approve policies offered on the exchange, and assist Kansas consumers with their complaints; and

WHEREAS, The time period in which the state of Kansas can enter into a state partnership health insurance exchange is quite short and ends on February 15, 2013: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we encourage the commissioner of insurance to take all steps necessary to enter into a state partnership health insurance exchange with the federal department of health and human services.

Be it further resolved: That the Secretary of the Senate shall send enrolled copies of this resolution to Governor Sam Brownback; Sandy Praeger, Commissioner of Insurance; and Kathleen Sebelius, Secretary of the Department of Health and Human Services.

Committee on Federal and State Affairs introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. **1711**—

A RESOLUTION opposing the black-footed ferret programmatic safe harbor agreement and environmental assessment.

WHEREAS, The United States fish and wildlife service reintroduced black-footed ferrets into Logan county, Kansas as part of a recovery effort in December 2007; and

WHEREAS, The reintroduction has been expensive, unsuccessful and wrought with problems ranging from destructive prairie dog infestations to monetary losses for Kansas landowners; and

WHEREAS, The U.S. fish and wildlife service has drafted a black-footed ferret programmatic safe harbor agreement and an environmental assessment to encourage

non-federal landowners to voluntarily allow reintroduction of black-footed ferrets on their properties; and

WHEREAS, The safe harbor agreement and environmental assessment is insufficient and misleading. It was developed rashly and without adequate information; and

WHEREAS, No environmental impact statement was conducted despite the fact that it is required when major federal action significantly impacts the human environment; and

WHEREAS, The U.S. fish and wildlife service did not coordinate with county or local governments in the development of the safe harbor agreement; and

WHEREAS, The safe harbor agreement included no reference or discussion of conflicts with local government plans, even though Logan county has a plan opposing the ferret introduction; and

WHEREAS, The safe harbor agreement failed to mention the impact to non-enrolled, adjacent landowners in the present and the future, despite the fact that there is evidence that the introduction of black-footed ferrets in Logan county has detrimentally affected neighboring landowners; and

WHEREAS, There has been a complete disregard for the risk to the health and safety of Kansans because of plague outbreaks. The plague is now present in all 12 states where black-footed ferrets have been introduced: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we have an obligation and responsibility to represent the interests of the people of this state and promote economic stability, encourage a sound environment and protect the health, safety and welfare of our citizens.

Be it further resolved: That we oppose the black-footed ferret programmatic safe harbor agreement and environmental assessment, request that the U.S. fish and wildlife service exclude Kansas from the territory contained in the safe harbor agreement and request that the U.S. fish and wildlife service refrain from further releases of black-footed ferrets in Kansas.

Be it further resolved: That should the U.S. fish and wildlife service move forward with the safe harbor agreement in Kansas against the wishes of the Senate of the State of Kansas, we strongly encourage the U.S. fish and wildlife service to use a formal rule-making process to stipulate protection of all private landowners in areas where releases of the black-footed ferret might occur, rather than utilize the informal safe harbor agreement.

Be it further resolved: That should the U.S. fish and wildlife service move forward with the safe harbor agreement in Kansas against the wishes of the Senate of the State of Kansas, we strongly encourage the U.S. fish and wildlife service to conduct an environmental impact statement before moving forward.

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the administrator of the U.S. fish and wildlife service; the governors, state legislatures and congressional delegations of Arizona, Colorado, Montana, New Mexico, South Dakota, Utah and Wyoming; the Kansas congressional delegation; the U.S. secretary of agriculture; and the Kansas secretary of agriculture.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **SB 146, SB 147.**

Commerce: **SB 149**.
 Education: **SB 137**.
 Ethics, Elections and Local Government: **SB 143, SB 145; SCR 1610**.
 Federal and State Affairs: **SB 135, SB 140, SB 148**.
 Financial Institutions and Insurance: **SB 138, SB 139**.
 Judiciary: **SB 142**.
 Public Health and Welfare: **SB 141**.
 Transportation: **SB 136**.
 Ways and Means: **SB 144**.

MESSAGE FROM THE GOVERNOR

February 5, 2013

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Directive No. 13-438 for your information.

Sam Brownback,
 Governor

The Vice President announced Executive Directive No. 13-438, Authorizing Expenditure of Federal Funds, is on file in the office of the Secretary of the Senate and is available for review at any time.

MESSAGE FROM THE HOUSE

Announcing of **HB 2009, HB 2060**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2009, HB 2060 were thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Francisco, Haley and Pettey introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. **1709**—

A RESOLUTION congratulating the University of Kansas Cancer Center on receiving National Cancer Institute designation.

WHEREAS, The University of Kansas Cancer Center received National Cancer Institute designation in July 2012, fulfilling the university's top research priority; and

WHEREAS, The University of Kansas Cancer Center has been providing the community with cancer treatment and researching cancer since the early 1970s; and

WHEREAS, The KU Cancer Center has built a Midwest Cancer Center Alliance network of hospitals across the state, providing greater access to top cancer care for Kansans; and

WHEREAS, The University of Kansas Cancer Center is now one of only 67 cancer centers across the nation to receive National Cancer Institute designation; and

WHEREAS, Dr. Roy Jensen, MD, has worked tirelessly along with his staff for the University of Kansas Cancer Center to obtain this designation, which labels KU Cancer Center as one of the best cancer centers in the country; and

WHEREAS, National Cancer Institute designation will allow the University of Kansas Cancer Center to continue to recruit and hire top researchers and apply for funding only available to National Cancer Institute designated centers. This designation will also allow the University of Kansas Cancer Center to expand benefits to members of the Midwest Cancer Alliance, which brings regional cancer research, care and support professionals together; and

WHEREAS, National Cancer Institute designation is an amazing achievement for the University of Kansas, which the community, as well as the entire State of Kansas, can celebrate: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the University of Kansas Cancer Center on receiving National Cancer Institute designation. This is a true accomplishment for the University of Kansas, and it is an award all Kansans can be proud of; and

Be it further resolved: That the Secretary of the Senate be directed to provide two enrolled copies of this resolution to the University of Kansas Cancer Center.

On emergency motion of Senator Francisco **SR 1709** was adopted unanimously.

Dr. Jensen was welcomed to the Senate with a standing ovation.

CONSIDERATION OF APPOINTMENTS

By the Governor:

On the appointment to the:

Kansas Department of Labor, Secretary:

Lana Gordon, to serve at the pleasure of the Governor

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Abrams, Arpke, Bowers, Bruce, Denning, Donovan, Emler, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Apple, Powell.

The appointment was confirmed.

REMOVE FROM CONSENT CALENDAR

An objection having been made to **SB 107** appearing on the Consent Calendar, the Vice President directed the bill be removed and placed on the calendar under the heading of General Orders.

FINAL ACTION ON CONSENT CALENDAR

SB 28, SB 58 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

SB 28, AN ACT authorizing the division of emergency management within the adjutant general's department to accept certain real property.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Abrams, Arpke, Bowers, Bruce, Denning, Donovan, Emler, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Apple, Powell.

The bill passed.

SB 58, AN ACT concerning crimes, criminal procedure and punishment; relating to manufacture of methamphetamine; amending K.S.A. 2012 Supp. 21-5703 and 21-6805 and repealing the existing sections.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Abrams, Arpke, Bowers, Bruce, Denning, Donovan, Emler, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Apple, Powell.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 16, AN ACT concerning racketeering; enacting the Kansas racketeer influenced and corrupt organization act; relating to criminal street gangs; forfeiture; amending K.S.A. 2012 Supp. 21-5302, 21-6313 and 60-4104 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 1; Absent or Not Voting 2.

Yeas: Abrams, Arpke, Bowers, Bruce, Denning, Donovan, Emler, Faust-Goudeau, Fitzgerald, Francisco, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Present and Passing: Haley.

Absent or Not Voting: Apple, Powell.

The bill passed, as amended.

SB 19, AN ACT concerning crimes and punishments; relating to mistreatment of a dependent adult; amending K.S.A. 2012 Supp. 21-5417 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Abrams, Arpke, Bowers, Bruce, Denning, Donovan, Emler, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Apple, Powell.

The bill passed, as amended.

SB 21, AN ACT concerning firearms; relating to definition of firearm; criminal possession of a firearm by a convicted felon; expungement; relating to the personal and family protection act; amending K.S.A. 2012 Supp. 12-16,124, 21-6304, 21-6614, 75-7c03, 75-7c04, 75-7c05, 75-7c07 and 75-7c25 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Abrams, Arpke, Bowers, Bruce, Denning, Donovan, Emler, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Apple, Powell.

The bill passed, as amended.

SB 26, AN ACT concerning insurance; relating to line of insurance and reporting requirements; amending K.S.A. 2012 Supp. 40-4903 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Abrams, Arpke, Bowers, Bruce, Denning, Donovan, Emler, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Apple, Powell.

The bill passed.

SB 34, AN ACT concerning the commission on emergency planning and response; membership; amending K.S.A. 2012 Supp. 65-5721 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Abrams, Arpke, Bowers, Bruce, Denning, Donovan, Emler, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Apple, Powell.

The bill passed, as amended.

SB 35, AN ACT concerning alcoholic beverages; relating to the employment of certain individuals by licensees under the club and drinking establishment act; amending K.S.A. 41-2610 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Abrams, Arpke, Bowers, Bruce, Denning, Donovan, Emler, Faust-Goudeau,

Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Apple, Powell.

The bill passed, as amended.

SB 40, AN ACT concerning crimes, criminal procedure and punishment; relating to DNA evidence; amending K.S.A. 21-2512 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Abrams, Arpke, Bowers, Bruce, Denning, Donovan, Emler, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Apple, Powell.

The bill passed, as amended.

SB 46, AN ACT concerning physical therapists; evaluation and treatment of patients; amending K.S.A. 2012 Supp. 65-2921 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 37; Nays 1; Present and Passing 0; Absent or Not Voting 2.

Yeas: Abrams, Arpke, Bowers, Bruce, Denning, Donovan, Emler, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Pyle, Smith, Tyson, Wagle, Wolf.

Nays: V. Schmidt.

Absent or Not Voting: Apple, Powell.

The bill passed, as amended.

SB 61, AN ACT concerning crimes, punishment and criminal procedure; relating to human trafficking; human trafficking advisory board; establishing the human trafficking victim assistance fund; creating the crime of commercial sexual exploitation of a child; relating to selling sexual relations, promoting sexual relations, buying sexual relations; children in need of care; staff secure facilities; amending K.S.A. 22-2530 and K.S.A. 2012 Supp. 12-4106, 12-4120, 12-4516, 21-5301, 21-5302, 21-5303, 21-5401, 21-5502, 21-6419, 21-6420, 21-6421, 21-6614, 21-6626, 21-6627, 21-6806, 21-6815, 22-2515, 22-3601, 22-3717, 22-3901, 22-4902, 22-4906, 38-2202, 38-2231, 38-2232, 38-2242, 38-2243, 38-2255, 38-2312, 38-2361, 41-311, 41-2601, 60-4104 and 68-2255 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Abrams, Arpke, Bowers, Bruce, Denning, Donovan, Emler, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Apple, Powell.
The bill passed, as amended.

REPORT ON ENGROSSED BILLS

SB 8; SCR 1601 reported correctly engrossed January 31, 2013.

REPORT ON ENROLLED BILLS

SCR 1604 reported correctly enrolled, properly signed and presented to the Secretary of State on February 7, 2013.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 54** be amended on page 8, by striking all in lines 36 through 43;

On page 9, by striking all in lines 1 through 3;

And by relettering subsections accordingly;

On page 18, by striking all in lines 28 and 29;

And by relettering subsections accordingly;

On page 27, after line 5, by inserting:

"(e) Mapping by governmental agencies when such activity does not involve the locating, relocating, or physical establishment of land boundaries and related monuments or the preparation of original or field retracement of existing descriptions of real property.";

And the bill be passed as amended.

Also, **SB 91** be amended on page 1, following line 13, by inserting:

"(b) There is hereby established in the state treasury the Kansas emergency management and homeland security fund. Moneys deposited in the Kansas emergency management and homeland security fund may be expended for operating expenditures of the adjutant general related to emergency management and homeland security, including, but not limited to, direct and indirect operating expenses. Expenditures from the Kansas emergency management and homeland security fund shall be made upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the adjutant general or by a person or persons designated by the adjutant general.";

Also on page 1, in line 14, by striking "(b)" and inserting "(c)";

On page 1, in the title, in line 2, after "fund" by inserting "and the Kansas emergency management and homeland security fund"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **SB 51** be passed.

Also, **SB 52** 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 **Judiciary** recommends **SB 59** be passed.

Also, **SB 92** be passed.

SB 41 be amended on page 4, in line 14, before "during" by inserting "and such firearm was readily accessible"; and the bill be passed as amended.

SB 49 be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 32-1130 is hereby amended to read as follows: 32-1130. As used in K.S.A. 32-1131 through 32-1136, and amendments thereto:

(a) "Alcohol concentration" means the number of grams of alcohol per 100

milliliters of blood or per 210 liters of breath.

(b) "Other competent evidence" includes: (1) Alcohol concentration tests obtained from samples taken ~~two~~ three hours or more after the operation or attempted operation of a vessel; and (2) readings obtained from a partial alcohol concentration test on a breath testing machine.

(c) "Samples" includes breath supplied directly for testing, which breath is not preserved.

(d) "Vessel" and "operate" have the meanings provided by K.S.A. 32-1102, and amendments thereto.;

Also on page 1, in line 6, by striking "Section 1." and inserting "Sec. 2."; following line 8, by inserting:

"(1) The alcohol concentration in the person's blood or breath as shown by any competent evidence, including other competent evidence, as defined in paragraph (1) of subsection (b) of K.S.A. 32-1130, and amendments thereto, is .08 or more;";

Also on page 1, in line 13, by striking "two" and inserting "three"; in line 15, after "alcohol" by inserting "to a degree that renders the person incapable of safely operating a vessel"; by striking all in lines 21 through 23; in line 31, by striking "(f)" and inserting "(e)";

And by renumbering subsections accordingly;

On page 2, in line 2, by striking "(e)" and inserting "(d)";

And by redesignating sections accordingly;

Also on page 2, in line 14, after "K.S.A." by inserting "32-1130 and"; also in line 14, by striking "is" and inserting "are";

On page 1, in the title, in line 2, after "K.S.A." by inserting "32-1130 and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

SB 80 be amended on page 1, in line 11, after "The" by inserting "attorney general in any judicial district or the"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 68** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Also, **SB 69** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Bruce, the Senate adjourned until 8:00 a.m., Friday, February 8, 2013.

HELEN MORELAND, ROSE MARIE GLATT, CHARLENE BAILEY, *Journal Clerks.*

DIANE MINEAR, *Secretary of the Senate.*

