

Journal of the Senate

TWENTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 13, 2013, 2:30 p.m.

The Senate was called to order by President Susan Wagle.

The roll was called with thirty-nine senators present.

Senator Emler was excused.

Invocation by Father Don Davidson:

Today Lord is Ash Wednesday for many Christians around the world. The ashes are a reminder of our mortality that each of us have been given a number of days to live and accomplish the works you have called us to do. No matter our individual faith tradition, we give you thanks for our lives, our families and our loved ones. We give you thanks for the land in which we live and the freedoms we enjoy; and with great hope we pray that in breathing the air of each new day, we may serve and love our brothers and sisters on earth and our forebearers in the paradise of heaven. With your help we pray. Amen

The Pledge of Allegiance was led by President Susan Wagle.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 187, AN ACT concerning workers; relating to the workers compensation and employment security boards nominating committee; administrative law judge appointments; workers compensation appeals board; amending K.S.A. 2012 Supp. 44-551, 44-555c and 44-709 and repealing the existing sections, by Committee on Commerce.

SB 188, AN ACT concerning sales taxation; relating to countywide retailers' sales tax; Ellis county; amending K.S.A. 2012 Supp. 12-187, 12-189 and 12-192 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 189, AN ACT concerning income taxation; relating to credits; expenditures to make dwelling or facility accessible for persons with a disability; amending K.S.A. 2012 Supp. 79-32,177 and repealing the existing section, by Committee on Assessment and Taxation.

SB 190, AN ACT concerning crimes, punishment and criminal procedure; relating to eyewitness identifications, by Senator Haley.

SB 191, AN ACT concerning agricultural corporations; amending K.S.A. 2012 Supp. 17-5903 and 19-101a and repealing the existing sections; also repealing K.S.A. 17-5902 and K.S.A. 2012 Supp. 17-5904, 17-5907 and 17-5908, by Committee on Federal and State Affairs.

SB 192, AN ACT concerning state agencies; relating to acceptable methods of

payment for certain educational institutions; amending K.S.A. 2012 Supp. 75-30,100 and repealing the existing section, by Committee on Federal and State Affairs.

SB 193, AN ACT concerning the state corporation commission; relating to the promulgation of rules and regulations concerning hydraulic fracturing; amending K.S.A. 2012 Supp. 55-152 and repealing the existing section, by Committee on Utilities.

SB 194, AN ACT concerning community developmental disability organizations; functional assessments; amending K.S.A. 39-1805 and repealing the existing section, by Committee on Ways and Means.

SB 195, AN ACT concerning the Kansas employment first initiative act; amending K.S.A. 2012 Supp. 44-1137 and repealing the existing section; also repealing K.S.A. 2012 Supp. 44-1138, by Committee on Ways and Means.

SB 196, AN ACT concerning public charter schools; creating the Kansas public charter school act; amending K.S.A. 2012 Supp. 72-6407, 79-32,117 and 79-32,138 and repealing the existing sections; also repealing K.S.A. 72-1903, 72-1904, 72-1908, 72-1909 and 72-1911 and K.S.A. 2012 Supp. 72-1906, 72-1907 and 72-1910, by Committee on Ways and Means.

SB 197, AN ACT concerning the Kansas dental board; relating to licensure of registered dental practitioners; amending K.S.A. 65-1421, 65-1441, 65-1449, 65-1460, 65-1462, 74-1404 and 74-1406 and K.S.A. 2012 Supp. 65-1424, 65-1431, 65-1434, 65-1436, 65-1447, 65-1469, 65-4915, 65-4921, 65-5912, 65-7304, 74-1405, 75-2935 and 75-6102 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 75-6102c, by Committee on Ways and Means.

SB 198, AN ACT pertaining to the purchase of goods made or manufactured in the United States; enacting the Kansas buy American act, by Senators Hensley, Faust-Goudeau, Haley, Hawk and Pettey.

SB 199, AN ACT concerning the university of Kansas medical center; establishing the midwest stem cell therapy center, by Senators Pilcher-Cook, Abrams, Apple, Arpke, Bruce, Donovan, Fitzgerald, Holmes, Kerschen, LaTurner, Love, Lynn, Masterson, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Powell, Pyle, Smith and Wagle.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 181**, **SB 182**, **SB 183**.

Commerce: **SB 179**.

Education: **SB 171**, **SB 172**, **SB 173**, **SB 174**, **SB 176**, **SB 178**.

Ethics, Elections and Local Government: **SB 170**, **SB 177**.

Federal and State Affairs: **SB 184**, **SB 186**.

Judiciary: **HB 2015**, **HB 2034**, **HB 2081**.

Public Health and Welfare: **SB 175**, **SB 185**.

Ways and Means: **SB 180**.

CHANGE OF REFERENCE

The President withdrew **HB 2059** from the Calendar under the heading of **General Orders**, and referred the bill to the Committee on **Assessment and Taxation**.

The President withdrew **SB 147** from the Committee on **Agriculture**, and referred

the bill to the Committee on **Federal and State Affairs**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2041, HB 2065, HB 2114**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2041, HB 2065, HB 2114 were thereupon introduced and read by title.

FINAL ACTION ON CONSENT CALENDAR

SB 24, SB 25, SB 52, SB 68, SB 69 and **SB 102** having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

SB 24, AN ACT concerning insurance; relating to risk-based capital requirements for certain insurance companies; amending K.S.A. 2012 Supp. 40-2c01 and 40-2c05 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Arpke, Bowers, Bruce, Denning, Donovan, 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, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Emler.

The bill passed.

SB 25, AN ACT concerning insurance; relating to risk-based capital requirements for health organizations; amending K.S.A. 40-2d05 and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Arpke, Bowers, Bruce, Denning, Donovan, 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, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Emler.

The bill passed.

SB 52, AN ACT concerning mortgage interest rates; amending K.S.A. 16-207 and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Arpke, Bowers, Bruce, Denning, Donovan, 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, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Emler.

The bill passed.

SB 68, AN ACT concerning motor vehicles; relating to driver's licenses;

examinations, locations; amending K.S.A. 2012 Supp. 8-235d and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Arpke, Bowers, Bruce, Denning, Donovan, 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, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Emler.

The bill passed.

SB 69, AN ACT concerning motor vehicles; relating to vehicle registration; license plates; amending K.S.A. 8-163 and 8-167 and K.S.A. 2012 Supp. 8-136, 8-139, 8-171 and 8-2409 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Arpke, Bowers, Bruce, Denning, Donovan, 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, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Emler.

The bill passed.

SB 102, AN ACT concerning the office of the state treasurer; relating to daily deposits; amending K.S.A. 2012 Supp. 75-4203 and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Arpke, Bowers, Bruce, Denning, Donovan, 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, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Emler.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

S Sub for SB 36, AN ACT concerning alcoholic beverages; relating to clubs and drinking establishments; permitting tastings on licensed premises; amending K.S.A. 2012 Supp. 41-2601, 41-2637, 41-2640, 41-2641, 41-2642 and 79-41a02 and repealing the existing sections, was considered on final action.

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

Yeas: Abrams, Apple, Arpke, Bowers, Bruce, Denning, Donovan, 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, Powell, V. Schmidt, Smith, Wagle, Wolf.

Nays: Pyle, Tyson.

Absent or Not Voting: Emler.

The substitute bill passed.

SB 37, AN ACT concerning the Kansas home inspectors professional competence and financial responsibility act; amending K.S.A. 2012 Supp. 58-4501 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 36; Nays 3; Present and Passing 0; Absent or Not Voting 1.

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

Nays: Masterson, Melcher, Pilcher-Cook.

Absent or Not Voting: Emler.

The bill passed.

SB 41, AN ACT concerning crimes, criminal procedure and punishment; relating to sentencing; relating to possession of a firearm during a drug crime; amending K.S.A. 2012 Supp. 21-6805 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Arpke, Bowers, Bruce, Denning, Donovan, 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, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Emler.

The bill passed, as amended.

SB 49, AN ACT concerning boating and water activities; relating to boating under the influence; amending K.S.A. 32-1130 and 32-1131 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Arpke, Bowers, Bruce, Denning, Donovan, 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, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Emler.

The bill passed, as amended.

SB 51, AN ACT concerning insurance for certain banker's associations; amending K.S.A. 40-2222 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Arpke, Bowers, Bruce, Denning, Donovan, 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, Powell, Pyle, V. Schmidt, Smith,

Tyson, Wagle, Wolf.

Absent or Not Voting: Emler.

The bill passed.

SB 59, AN ACT concerning the attorney general; relating to payment of reward for persons providing certain information, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Arpke, Bowers, Bruce, Denning, Donovan, 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, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Emler.

The bill passed.

SB 80, AN ACT concerning grand juries; amending K.S.A. 22-3002, 22-3003, 22-3004, 22-3005, 22-3006, 22-3007, 22-3009, 22-3010, 22-3011, 22-3012, 22-3013 and 22-3014 and K.S.A. 2012 Supp. 22-3001 and 22-3008 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Arpke, Bowers, Bruce, Denning, Donovan, 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, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Emler.

The bill passed, as amended.

SB 91, AN ACT concerning the adjutant general; relating to the funding for disasters; creating the disaster reimbursement fund and the Kansas emergency management and homeland security fund, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Arpke, Bowers, Bruce, Denning, Donovan, 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, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Absent or Not Voting: Emler.

The bill passed, as amended.

SB 92, AN ACT concerning crimes, punishment and criminal procedure; relating to sexually violent crimes; law enforcement reports on the presence of pornographic materials, was considered on final action.

On roll call, the vote was: Yeas 36; Nays 2; Present and Passing 1; Absent or Not Voting 1.

Yeas: Abrams, Apple, Arpke, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer,

Petersen, Pilcher-Cook, Powell, Pyle, V. Schmidt, Smith, Tyson, Wagle, Wolf.

Nays: Haley, Pettey.

Present and Passing: Francisco.

Absent or Not Voting: Emler.

The bill passed.

EXPLANATION OF VOTE

Madame President: Reluctantly, I vote “No” on **SB 92**.

There is no need for this bill; and none has been articulated either in the Senate Judiciary Committee or here on the Senate floor. Like adding misdemeanors to a Kansas Racketeering (“R.I.C.O.”) bill that caused me to “Pass” on final action last week. I ask now, what good does checking a box off showing the existence of pornographic materials of someone already arrested for a related crime? And why does this bill have so high of (upwards of \$700,000.) a fiscal note? Where is the transparency promised by your new “Pay As You Go” (Pay-Go) rule if all we really do is inflate legislation with sensitive “act like you're getting tough on crime language?”

Let's keep it real, Madame President. – DAVID HALEY

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

SENATE RESOLUTION No. **1713**—

A RESOLUTION congratulating and commending the Vanguard class, 2014 graduating class of the Kansas Academy of Mathematics and Science.

WHEREAS, The Legislature of the State of Kansas enacted legislation in 2006 authorizing the establishment of the Kansas Academy of Mathematics and Science to promote mathematics and science education, increase retention of intellectual capital and promote economic development; and

WHEREAS, The Legislature of the State of Kansas approved five years of funding for the Kansas Academy of Mathematics and Science in 2008; and

WHEREAS, Fort Hays State University is a forward-thinking liberal and applied arts university, and is recognized internationally for offering more than 60 degrees in a technology-rich environment. Fort Hays State University aggressively seeks innovative solutions to meet the educational needs of Kansans and enhance the economic future of the state; and

WHEREAS, The State Board of Regents selected Fort Hays State University as the site to host the Kansas Academy of Mathematics and Science in 2007; and

WHEREAS, Fort Hays State University was able to establish the Kansas Academy of Mathematics and Science in a single year, allowing Kansas to become the 16th state in the country with an academic early-entry-to-college program offering a unique residential learning experience for high- achieving high school juniors and seniors who are academically talented in science and mathematics; and

WHEREAS, The Kansas Academy of Mathematics and Science provides a unique, hands-on, rigorous research environment with PhD. faculty that focuses on academics, research, leadership development and civic engagement allowing Fort Hays State

University to cultivate future citizen- leaders; and

WHEREAS, Graduates of the Kansas Academy of Mathematics and Science receive a high school diploma and 68 hours of college credit; and

WHEREAS, The 2014 graduates of the Kansas Academy of Mathematics and Science are: Elliot Bicker, Hiawatha; Michael Cory, Wichita; Alexander Crider, Wichita; Samuel DeVore, Lyons; Abigail Dishman, Topeka; Mason Gates, Manhattan; Rachel Hasch, Concordia; Gabriel Horton, Topeka; Jonathan Howard, Peru; Eleanor Justin, Overland Park; MinYoung Kim, Gwangju Metropolitan, Korea; Abigail Ladner, Lawrence; DongHee Lee, Seoul, South Korea; Brad Leupold, Hiawatha; Elizabeth Lewis, Lawrence; Morgan Linder, Baldwin City; Alexa Melvin, Topeka; Morgan Murray, Shawnee; Nathaniel Nehring, Wamego; Pratik Patel, Salina; Amber Perdew, Goodland; Quincy Rayls, Topeka; Garrett Redden, Glasco; Laura Rook, Junction City; Christopher Siegle, Council Grove; Briana Singleton, Wichita; Arynne Smallback, Topeka; Tyler Standley, Nickerson; Adam Stenson, Olathe; Tanner Swartz, Alexander; BreAnna Terry, Wichita; Justin Weaver, Benton; Codie Webster, Olsburg; Shelby Young, Chapman; Tianhao Yu, Beijing, China; and Junyu Zhang, Anshun Guizhon, China: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the 2014 graduates of the Kansas Academy of Mathematics and Science; we wish them continued success in their academic and personal pursuits and encourage them to use their significant gifts to improve the future of their home state; and

Be it further resolved: That the members of the Kansas Senate express gratitude to the educators and support staff who, through their own dedication and commitment to excellence in education in the fields of mathematics and science, have brought this program to fruition through the successes of each graduating class. Their efforts are helping to forge the future for the State of Kansas; and

Be it further resolved: That the Secretary of the Senate shall send 42 enrolled copies of this resolution to the Director of the Kansas Academy of Mathematics and Science for forwarding to each of the 2014 graduates of the Kansas Academy of Mathematics and Science plus six copies for the Director of the Kansas Academy of Mathematics and Science.

On emergency motion of Senator Bruce **SR 1713** was adopted unanimously.

The Senators acknowledged the Vanguard Class with a round of applause.

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

SENATE RESOLUTION No. **1714**—

A RESOLUTION commemorating the 150th anniversary of
Kansas State University in Manhattan, Kansas.

WHEREAS, Kansas State University was established by the Territory of Kansas on February 9, 1858, as the Bluemont Central College Association in response to the state's desire to provide higher education opportunities to farm families and the working class in Kansas; and

WHEREAS, On February 3, 1863, Kansas became one of the first states in the nation to accept the terms and conditions of the federal Morrill Act creating the land-grant system of colleges and universities; and

WHEREAS, The Kansas State Agricultural College, today known as Kansas State

University, received Kansas' land-grant charter on February 16, 1863, making it the first operational land-grant institution in the nation; and

WHEREAS, Important technological advancements of the modern world were the result of research at Kansas State University, including: discovering the weather phenomenon El Niño and invention of the snooze alarm and the space pen; and

WHEREAS, Kansas State University became the first university to offer printing courses, which led to journalism courses and eventually to the A.Q. Miller School of Journalism and Mass Communications; and

WHEREAS, Kansas State University helped pioneer the academic teaching of home economics for women, becoming one of the first of two colleges to offer the program of study; and

WHEREAS, Kansas State University, by expanding to campuses in Olathe and Salina and with Research and Extension, has a presence state-wide; and

WHEREAS, The university also has international offices in Australia, Vietnam, China and India; and

WHEREAS, Students attending Kansas State University hail from all 50 states and 90 countries; and

WHEREAS, Kansas State University is a national leader among public universities in the number of Rhodes, Truman, Marshall, Udall and Goldwater scholars; and

WHEREAS, Kansas State University's football team's first game was played on Thanksgiving Day in 1883. The Kansas State University basketball team first played in 1902. Kansas State University intercollegiate athletes compete in the Big XII Conference; and

WHEREAS, More than 200,000 alumni are proud to call Kansas State University their alma mater; graduates include heads of state, leaders of industry, great humanitarians and gifted scientists, whose work has improved the quality of life for people worldwide; and

WHEREAS, Kansas State University's commitment to education is unparalleled; its history and stature are secured by the superlative caliber of its educational professionals and the students they inspire: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we commend and celebrate the 150th anniversary of Kansas State University at Manhattan. Kansas State University provides students of Kansas with incredible educational opportunities, and we urge all Kansans to celebrate its success; and

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

On emergency motion of Senator Hawk **SR 1714** was adopted unanimously.

Senator Hawk introduced President Kirk Schulz, Jim Bloodgood, Nate Sprigg, Dale Belliam and Sue Peterson. Senator Hawk present them copies of the resolution. The guests were recognized with a standing ovation.

REPORT ON ENGROSSED BILLS

SB 41, SB 49, SB 80, SB 91 reported correctly engrossed February 13, 2013.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 83** be amended on page 1, in line 19, by striking all following "(d)"; by striking all in lines 20 and 21; in line 22,

by striking "(e)"; in line 36, before "All" by inserting "The secretary of revenue shall remit the first \$350,000 of delinquent taxes, including penalties and interest, collected during any fiscal year for income tax or any other tax that would otherwise be deposited 100% in the state general fund, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the recovery fund for enforcement actions and attorney fees."; and the bill be passed as amended.

Also, **SB 84** be amended on page 3, in line 3, by striking "using" and inserting "utilizing"; and the bill be passed as amended.

Committee on **Commerce** recommends **SB 74** be amended on page 1, following line 25, by inserting:

"(6) "Vocational building program" means the vocational building program operated by the secretary to provide individual, freestanding buildings, not to exceed 1,000 square feet in size, to state agencies for use by such agencies.

(c)The provisions of this section shall not apply to a vocational building program."; And by redesignating subsections accordingly; and the bill be passed as amended.

Committee on **Utilities** recommends **SB 82** be passed.

Committee on **Ways and Means** recommends **SB 2** be passed.

Also, **SB 1** be amended on page 1, in line 28, after "treasurer," by inserting "the legislative division of post audit shall conduct"; also in line 28, by striking "shall be"; in line 29, by striking "conducted"; and the bill be passed as amended.

SB 27 be amended on page 1, in line 22, by striking "and" and inserting "or"; in line 23, by striking "that" and inserting ", whichever such paper or order indicate the location of such person's deployment and"; in line 24, by striking all after "in"; in line 25, by striking all before "any"; and the bill be passed as amended

COMMITTEE OF THE WHOLE

On motion of Senator Bruce, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Ostmeyer in the chair.

On motion of Senator Ostmeyer the following report was adopted:

Recommended **SB 107** be passed.

HB 2059 be passed over and retain a place on the calendar.

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

The senate met pursuant to recess with President Wagle in the chair.

On motion of Senator Bruce, the Senate adjourned until 2:30 p.m., Thursday, February 14, 2013.

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

DIANE MINEAR, *Secretary of the Senate.*

