

Journal of the Senate

FORTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 7, 2007—2:30 p.m.

The Senate was called to order by Vice President John Vratil.
The roll was called with thirty-nine senators present.
Senator Palmer was excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,
Few people know the pressures
That Senators undergo
If they did they'd not be quick
To criticize them so.
Some of them live 300 miles
From the capitol dome.
Some of them have kids in school,
So a parent must stay home.
Others rent a place in town,
But they can't stay here all session;
They must listen to constituents,
Or they'll leave the wrong impression,
Besides, this is a citizen Senate;
Most have other professions,
Requiring that they give some time
During the three month session.
I could go on and on, O God,
But their time I must protect.
Sometimes I have prayed too long
Which showed some disrespect.
Please give them strength to handle
The pressures that they bear;
And I'll come back another day
And perhaps complete this prayer!
I pray in the Name of Jesus Christ,
AMEN

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill and resolution were introduced and read by title:

SB 377, An act concerning the infrastructure needs of postsecondary educational institutions and the financing thereof; amending K.S.A. 76-6b02, 76-6b03, 76-6b12, 76-719, as amended by section 11 of chapter 132 of the 2006 Session Laws of Kansas, and 76-753 and K.S.A. 2006 Supp. 75-4209 and 76-762, as amended by section 12 of chapter 132 of

the 2006 Session Laws of Kansas, and repealing the existing sections, by Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION No. 1609—

By Senators Morris, Hensley and D. Schmidt

A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for periods during the 2007 regular session of the legislature.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on March 28, 2007, and shall reconvene at 10:00 a.m. on April 2, 2007; and

Be it further resolved: That the legislature shall adjourn at the close of business of the daily session convened on April 3, 2007, or at the close of business of the daily session convened on April 4, 2007, and shall reconvene at 10:00 a.m. on April 25, 2007; and

Be it further resolved: That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in subsections (a) and (b) of K.S.A. 46-137a for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

Be it further resolved: That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212 except that the mileage allowance shall be limited during any such period of adjournment to one full trip by the usual route in going to and returning from an authorized meeting.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 375**.

Judiciary: **SB 374**, **SB 376**.

MESSAGE FROM THE GOVERNOR

March 1, 2007

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Order 07-03 for your information.

KATHLEEN SEBELIUS
Governor

The Vice President announced Executive Order 07-03, concerning the State of Iowa's request for assistance in restoring services after suffering severe storms and widespread electrical outages, 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 passage of **SB 62**, **SB 63**, **SB 108**.

Also, passage of **SB 72**, as amended.

Also, adoption of **SCR 1604**.

CONSIDERATION OF MOTIONS TO CONCUR OR NONCONCUR

Senator Bruce moved the Senate concur in house amendments to **SB 75**.

SB 75, An act concerning indigent defense services; relating to compensation for attorneys; amending K.S.A. 2006 Supp. 22-4507 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: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

Absent or Not Voting: Palmer.

The Senate concurred.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HCR 5003**, submits the following report:

The House accedes to all Senate amendments to the concurrent resolution, and your committee on conference further agrees to amend the concurrent resolution, as printed with Senate Committee amendments, as follows:

On page 7, in line 21, by striking "24" and inserting "28"; in line 22, by striking "March 29" and inserting "April 2";

And your committee on conference recommends the adoption of this report.

STEPHEN R. MORRIS

DEREK SCHMIDT

ANTHONY HENSLEY

Conferees on part of Senate

MELVIN NEUFELD

RAY MERRICK

DENNIS MCKINNEY

Conferees on part of House

Senator D. Schmidt moved the Senate adopt the Conference Committee Report on **HCR 5003**.

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

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

Absent or Not Voting: Palmer.

The Conference Committee report was adopted.

FINAL ACTION ON CONSENT CALENDAR

HB 2013, **HB 2096**, **HB 2181**, **HB 2182** having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

HB 2013, An act concerning motor-vehicle fuel taxation; relating to licenses required; exception; amending K.S.A. 79-3403 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: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

Absent or Not Voting: Palmer.

The bill passed.

HB 2096, An act concerning the state board of pharmacy; relating to meetings; amending K.S.A. 74-1606 and 74-1608 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: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

Absent or Not Voting: Palmer.

The bill passed.

HB 2181, An act concerning social workers; relating to hours of continuing education needed for license reinstatement; amending K.S.A. 65-6313 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: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

Absent or Not Voting: Palmer.

The bill passed.

HB 2182, An act concerning the behavioral sciences regulatory board; relating to temporary permits to practice for out-of-state licensees; amending K.S.A. 65-5812 and 74-5316 and repealing the existing sections; also repealing K.S.A. 74-5345.

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

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

Absent or Not Voting: Palmer.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 136, An act relating to restrictive covenants; concerning certain political yard signs, was considered on final action.

On roll call, the vote was: Yeas 25, Nays 13, Present and Passing 1, Absent or Not Voting 1.

Yeas: Apple, Betts, Brownlee, Donovan, Emler, Gilstrap, Haley, Hensley, Huelskamp, Jordan, Journey, Lynn, Morris, Ostmeyer, Petersen, Pine, Pyle, Schmidt D, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wilson.

Nays: Allen, Barnett, Barone, Bruce, Brungardt, Francisco, Goodwin, Kelly, Lee, Reitz, Schmidt V, Wagle, Wysong.

Present and Passing: McGinn.

Absent or Not Voting: Palmer.

The bill passed, as amended.

Sub SB 194, An act concerning public information, was considered on final action.

On roll call, the vote was: Yeas 38, Nays 1, Present and Passing 0, Absent or Not Voting 1.

Yeas: Allen, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

Nays: Apple.

Absent or Not Voting: Palmer.

The substitute bill passed.

SB 321, An act enacting the Fort Scott/Bourbon county riverfront authority act; creating a riverfront authority and prescribing the powers and duties thereof, 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: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

Absent or Not Voting: Palmer.

The bill passed, as amended.

SB 333, An act concerning public construction contracts; enacting the Kansas fairness in public construction contract act; amending K.S.A. 75-6402 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 35, Nays 4, Present and Passing 0, Absent or Not Voting 1.

Yeas: Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Wagle, Wilson.

Nays: Allen, Journey, Vratil, Wysong.

Absent or Not Voting: Palmer.

The bill passed, as amended.

HB 2168, An act concerning certain communities within superfund sites; providing for relocation and other assistance, 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: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

Absent or Not Voting: Palmer.

The bill passed.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators D. Schmidt and Taddiken introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1834—

A RESOLUTION congratulating and commending Phyllis Burdge and her service dog, Justice.

WHEREAS, Phyllis Burdge and her service dog, Justice, completed the first PB&J American WalkAbout journey on March 13, 2007, in Hays; and

WHEREAS, Burdge had the first official service dog in the state of Kansas and worked with former Kansas Senator and current Congressman Jerry Moran to pass legislation guaranteeing full public access to service dogs for physically disabled people; and

WHEREAS, After spontaneous remission from multiple sclerosis, Burdge completed graduate school in Indiana, hospital chaplain residency in Colorado and two AmeriCorps VISTA terms in Kansas; and

WHEREAS, On November 20, 2005, just seven years after taking her first steps in over 12 years, Burdge and Justice, began the PB&J American WalkAbout, traveling throughout America on foot to share her story of hope and renewal; and

WHEREAS, Burdge's efforts not only increase awareness of assistance dogs and disability issues, but also address issues such as individual value, self worth and purpose, as well as individual needs: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Phyllis Burdge and her service dog, Justice, for their efforts to raise awareness of the potential that exists in every individual regardless of ability, age or any other factor, and wish them all the best as they embark on other WalkAbout journeys and continue to spread hope across America; and

Be it further resolved: That the Secretary of the Senate provide an enrolled copy of this resolution to Senator Derek Schmidt for presentation to Phyllis Burdge and her service dog, Justice.

On emergency motion of Senator D. Schmidt **SR 1834** was adopted unanimously.

Phyllis Burdge and her service dog, Justice, were introduced and honored with a standing ovation acknowledging her amazing story of hope and renewal.

REPORTS OF STANDING COMMITTEES

Committee on Assessment and Taxation begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

State Board of Tax Appeals: K.S.A. 2006 Supp. 74-2433

Bruce Larkin, term expires January 15, 2008

Committee on **Financial Institutions and Insurance** recommends **HB 2107, HB 2116**, both as amended by House Committee, be passed

Committee on **Public Health and Welfare** recommends **HB 2216** 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 **Substitute for HB 2042; HB 2374** be passed.

Also, **HB 2119**, as amended by House Committee, 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 **Ways and Means** recommends **SB 329** be passed.

COMMITTEE OF THE WHOLE

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

On motion of Senator Journey the following report was adopted:

Recommended **HB 2074** be passed.

The committee report on **Sub SB 316** recommending a **Sub for Sub SB 316** be adopted, and the substitute bill be passed.

SB 355; HB 2036, HB 2208, HB 2220 be amended by adoption of the committee amendments, and the bills be passed as amended.

HB 2021 be amended by motion of Senator Kelly as amended by House Committee, on page 1, in line 14, before "Section" by inserting "New"; after line 34, by inserting the following:

"Sec. 2. K.S.A. 80-302 is hereby amended to read as follows: 80-302. The township trustee, clerk and treasurer of each municipal township shall constitute an auditing board. The auditing board shall meet in March, June, September and December of each year and examine and audit all claims against the township, and shall file their annual report with the county clerk for the approval of the board of county commissioners on or before January 31 of the succeeding year. No claim against any township shall be paid until allowed by the auditing board. All claims allowed by the auditing board shall be recorded by the clerk electronically or in a book to be kept for that purpose.

The township trustee, clerk and treasurer shall each receive for the officer's services in attending to the township business, an amount determined by the township board as provided by K.S.A. 80-207, and amendments thereto.

Sec. 3. K.S.A. 80-402 is hereby amended to read as follows: 80-402. The township treasurer shall keep a true account of all moneys by him or her received by virtue of his or her office, and the manner in which the same have been disbursed, keeping a separate account with each fund, electronically or in a book to be provided at the expense of the township for that purpose, and shall exhibit such account, together with his or her vouchers,

to the township auditing board at their annual meeting on the last Saturday of October in each year for adjustment and settlement.

Sec. 4. K.S.A. 80-405 is hereby amended to read as follows: 80-405. Every township treasurer shall keep, ~~electronically or in a book provided for that purpose~~, a true account of all moneys received and disbursed by him or her by virtue of his or her office, specifying particularly the sources from which money has been received by him or her; and the person or persons to whom and the objects for which the same has been paid out by him or her; and he or she shall present to the township board, at their quarterly meeting in October, a full and correct itemized statement, duly signed and certified by him or her, of all moneys received and of all moneys paid out by him or her during the year, and he or she shall exhibit the vouchers therefor, which certified statement shall be on a blank provided for that purpose. Said report of said treasurer shall be carefully examined by the board, and when found correct shall be approved by them, and placed in charge of the township trustee.

Sec. 5. K.S.A. 80-302, 80-402 and 80-405 are hereby repealed.”;

And by renumbering the remaining section accordingly;

Also on page 1, in the title, in line 10, by striking all after the semicolon; in line 11, by striking “moneys” and inserting “amending K.S.A. 80-302, 80-402 and 80-405 and repealing the existing sections” and **HB 2021** be passed as amended.

FINAL ACTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator D. Schmidt an emergency was declared by a $\frac{2}{3}$ constitutional majority, and **Sub for Sub SB 316; SB 355; HB 2021, HB 2036, HB 2074, HB 2208, HB 2220** were advanced to Final Action and roll call.

Sub for Sub SB 316, An act concerning economic development; relating to tax increment financing and sales tax and revenue bonds; establishing the STAR bond financing act; amending K.S.A. 12-1770 and 12-1776 and K.S.A. 2006 Supp. 12-1770a, 12-1771, 12-1771b, 12-1773, 12-1774 and 12-1774a and repealing the existing sections; also repealing K.S.A. 2006 Supp. 12-1773, as amended by section 3 of chapter 192 of the 2006 Session Laws of Kansas, 12-1771d, 12-1780b, 12-1780c, 12-1780d, 12-1780e and 12-1780f.

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

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Hensley, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeier, Petersen, Pine, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

Nays: Haley, Huelskamp, Pyle.

Absent or Not Voting: Palmer.

The substitute bill passed.

SB 355, An act concerning the Kansas foster child educational assistance act; amending K.S.A. 2006 Supp. 75-53,111 and 75-53,114 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 75-53,119.

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

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeier, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

Absent or Not Voting: Palmer.

The bill passed, as amended.

HB 2021, An act concerning townships; amending K.S.A. 80-302, 80-402 and 80-405 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: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeier, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

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

HB 2036, An act concerning energy efficiency of buildings; relating to the applicable standards; relating to certain required disclosures; amending K.S.A. 66-1227 and 66-1228 and repealing the existing sections.

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

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Petersen, Pine, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

Nays: Huelskamp, Pyle.
Absent or Not Voting: Palmer.
The bill passed, as amended.

HB 2074, An act concerning juveniles; relating to fingerprints and photographs; amending K.S.A. 2006 Supp. 38-2313 and repealing the existing section.

On roll call, the vote was: Yeas 34, Nays 5, Present and Passing 0, Absent or Not Voting 1.

Yeas: Allen, Apple, Barnett, Barone, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Hensley, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Petersen, Pine, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

Nays: Betts, Haley, Huelskamp, Ostmeyer, Pyle.
Absent or Not Voting: Palmer.
The bill passed.

EXPLANATION OF VOTE

MR. VICE PRESIDENT: I once again vote against **HB 2074**; which allows fingerprints and photographs taken of juveniles upon arrest.

Masquerading previously under the title **SB 103**, this bill if enacted, will create a permanent “offender” pool from some taken into custody for what might now or much later in life be considered a “youthful indiscretion” or even a “childhood prank.”

We should be more aware of creating hurtful and unnecessary stigma.—DAVID HALEY

HB 2208, An act concerning the county fair board of Cloud county; amending K.S.A. 19-2699 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: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

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

HB 2220, An act concerning electric utilities; relating to recovery of certain transmission costs; amending K.S.A. 2006 Supp. 66-1237 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: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

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

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Thursday, March 8, 2007.

HELEN MORELAND, CAROL PARRETT, BRENDA KLING, *Journal Clerks*.
PAT SAVILLE, *Secretary of the Senate*.

