

# Journal of the Senate

TWENTY-THIRD DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Thursday, February 14, 2008—2:30 p.m.

The Senate was called to order by President Stephen Morris.  
The roll was called with forty senators present.  
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Valentine's Day features hearts and love.  
This is a good time to be reminded of the unparalleled  
Role love plays in Your plan, O God.

The Greek word for Your love is mentioned 248 times  
In the New Testament. Please allow me to mention  
Six of them:

1. Matthew 22:37-39. The two great commandments upon which all of Your laws are based are, "You should love the Lord your God . . . and love your neighbor as yourself."
2. John 3:16 tells us that the motive for Your giving Your Son was love.
3. I John, 4:8 tells us that if we do not love, we don't know God, because God is love.
4. Galatians 5:22 tells us that the first of the fruits of the Spirit is love.
5. I Corinthians, 13:13 tells us that of the three major virtues of faith, hope, and love, the greatest is love.
6. Colossians 3:14 tells us that love binds all the virtues together in perfect unity.

Thank You, Lord, for making it so clear how love is Your supreme characteristic.

I pray in the Name of Jesus Christ,

AMEN

The Pledge of Allegiance was led by President Stephen Morris.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

**SB 623**, An act concerning school districts; relating to school finance; amending K.S.A. 2007 Supp. 72-6455 and repealing the existing section, by Committee on Education.

**SB 624**, An act concerning viatical settlements; amending K.S.A. 2007 Supp. 40-5001, 40-5002, 40-5003, 40-5006, 40-5008 and 40-5010 and repealing the existing sections; also repealing K.S.A. 2007 Supp. 40-5007 and 40-5009, by Committee on Financial Institutions and Insurance.

**SB 625**, An act concerning sales taxation; relating to exemptions; capitol restoration; amending K.S.A. 2007 Supp. 79-3606 and repealing the existing section, by Committee on Ways and Means.

**SB 626**, An act concerning the Kansas commission on veterans affairs; establishing the veterans enhanced service delivery program within the veterans claims assistance program;

prescribing guidelines and limitations; powers, duties and functions for veteran services; providing for annual reporting to and study and review by the legislative budget committee; amending K.S.A. 2007 Supp. 73-1236 and repealing the existing section, by Committee on Ways and Means.

**SB 627**, An act concerning school districts; relating to school finance; relating to supplemental general state aid; amending K.S.A. 72-6434 and repealing the existing section, by Committee on Federal and State Affairs.

**SB 628**, An act concerning school districts; relating to school finance; amending K.S.A. 2007 Supp. 72-6407 and repealing the existing section, by Committee on Federal and State Affairs.

SENATE CONCURRENT RESOLUTION No. 1618—

By Senator Steineger

A CONCURRENT RESOLUTION memorializing Congress to allow states greater flexibility in the use of federal health care funding.

WHEREAS, Our Founding Fathers recognized the necessity of state sovereignty, therefore America was founded on the republican beliefs that the States are intended to have authority and power to enable them to ensure the well being of their citizens; and the state legislatures and governors are best suited to understand where the areas of greatest needs in terms of health care exist and to assure health care coverage is available for their citizens; and

WHEREAS, In the current system, health care costs are increasingly rising beyond many citizens' ability to afford even the most basic of health care services, with more than 47 million uninsured Americans; more than 280,000 of them Kansas citizens; and the United States spends more than 15% of gross domestic product on health care; approximately \$6,400 per capita, a cost 50% higher than any other industrialized country; and

WHEREAS, Congress has delegated much authority and power to the States with regard to social welfare programs under the landmark 1995 welfare reform initiative whereby a myriad of federal government programs were consolidated and given to the states in form of block grants; and

WHEREAS, Congress appropriates approximately \$3.5 billion to the State of Kansas for health care related programs and research, including, but not limited to, Medicaid, Medicare, the Employee Retirements Income Security Act and the State Children's Health Insurance Program: Now, therefore,

*Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein:* That the State of Kansas urges the United States Congress to grant all necessary waivers and exemptions from the use of funding for Medicaid, Medicare, the Employee Retirements Income Security Act, the State Children's Health Insurance Program and any other relevant federal law to effect the transfer of the \$3.5 billion provided to Kansas in the form of one annual block grant for purposes of providing health care to the citizens of Kansas; and

*Be it further resolved:* That the Secretary of the Senate is directed to send enrolled copies of this resolution to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the United States Department of Health and Human Services and to each member of the Kansas Congressional Delegation.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 617**.

Commerce: **SB 612**.

Education: **SB 620**.

Elections and Local Government: **SB 609, SB 616, SB 621**.

Federal and State Affairs: **SB 610, SB 622**.

Judiciary: **SB 608, SB 611, SB 615; HB 2643, HB 2656, HB 2700**.

Utilities: **SB 614**.

Ways and Means: **SB 613, SB 618, SB 619.**

**COMMUNICATIONS FROM STATE OFFICERS**

KANSAS PUBLIC BROADCASTING COUNCIL

January, 2008

As required by KSA 75-4924, the Kansas Public Broadcasting Council submitted its Annual Report for Fiscal Year 2009.

KANSAS DEVELOPMENT FINANCE AUTHORITY

February 11, 2008

Stephen R. Weatherford, President, submitted the audited Annual Report for the fiscal year ended June 30, 2007.

The President announced the above reports are on file in the office of the Secretary of the Senate and are available for review at any time.

**MESSAGE FROM THE HOUSE**

Announcing passage of **HB 2617, HB 2621, HB 2730, HB 2749.**

The House accedes to the request of the Senate for a conference on **SB 49** and has appointed Representatives C. Holmes, Olson and Kuether as conferees on the part of the House.

**INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS**

**HB 2617, HB 2621, HB 2730, HB 2749** were thereupon introduced and read by title.

**CONSIDERATION OF MOTIONS TO CONCUR OR NONCONCUR**

Senator Huelskamp moved the Senate concur in house amendments to **SB 65.**

**SB 65**, An act concerning elections; relating to advance voting; amending K.S.A. 2007 Supp. 25-1122 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: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The Senate concurred.

**FINAL ACTION OF BILLS AND CONCURRENT RESOLUTIONS**

**S Sub for HB 2066**, An act concerning the environment; relating to conservation and electric generation, transmission and efficiency and air emissions; amending K.S.A. 65-3008b, 65-3012 and 66-104d and K.S.A. 2007 Supp. 65-3005, 65-3008a and 66-1,184 and repealing the existing sections was considered on final action.

On roll call, the vote was: Yeas 33, Nays 7, Present and Passing 0, Absent or Not Voting 0.

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

Nays: Betts, Francisco, Hensley, Kelly, Schodorf, Steineger, Wysong.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: It is often a struggle to develop balanced, sound public policy when there are conflicting goals and desires. Related to the Holcomb Coal Plants, we want economic growth, inexpensive energy and yet a clean environment and better health for our children.

Solutions require elected officials to recognize those competing goals, to be frank about them and the tradeoffs they require, and to take the lead in resolving the inevitable conflicts.

The issue debated yesterday is laced with politics, unclear science, and potential peril for the future of Kansas. Realistically, future electrical energy needs in our state will rely on a stable base of coal, nuclear, and gas. Better control of pollution and emissions must be part of our future portfolio. Conservation and development of clean, renewable energy must also be part of that same portfolio.

Now is the time to drive the debate for a comprehensive energy policy. Kansans and all Americans should no longer accept inaction from elected officials in developing energy policy or energy policy reliant on foreign countries. Our current failed policies fund nations that hate us and want to harm us. To further that debate and advance the development of a comprehensive energy policy, I vote “Aye” on **Senate Substitute for House Bill 2066**.

— JAMES BARNETT

Senators Lynn, McGinn and Ostmeyer request the record to show they concur with the “Explanation of Vote” offered by Senator Barnett on **S Sub. for HB 2066**.

MR. PRESIDENT: Today I am voting NO on **S Sub. for HB 2066**. My decision to vote NO on this particular legislation has EVERYTHING to do with Kansas. Kansas’ energy policy needs to be balanced, consistent and fair; fair to the people regarding health and environmental protections, and fair to the concerns of business and the Kansas economy. In my perspective **S Sub for HB 2066** does not do that.

I am looking forward to seeing legislation that will offer alternative energy sources like geothermal, wind, solar and hydro.

If we are going to honor the mission of the Kansas Health Foundation, “to make KANSAS the #1 place in the nation to raise a child,” we must choose options that will provide a bright and healthy future for generations to come. — DONALD BETTS, JR.

MR. PRESIDENT: I vote yes on **S Sub for HB 2066**.

To those concerned with the environment this bill is a commentary on how “green” Kansas is or is not. Those concerned with growing the economy in our rural areas see this as an economic development bill. Still others want to be assured that Kansas will have inexpensive reliable power for years to come. The potential investment of \$3.6 billion in Kansas makes this an economic development vote for me. Our business sector works for years to achieve this level of growth. The Holcomb power plants provides this in one fell swoop. It is time for politics to be set aside to allow this project to move forward as quickly as possible for the future growth of rural Kansas. — KARIN BROWNLEE

Senators Haley, Journey and Teichman request the record to show they concur with the “Explanation of Vote” offered by Senator Brownlee on **S Sub for HB 2066**.

MR. PRESIDENT: I vote NO on **S Sub for HB 2066**.

A great deal of energy has been expended on this legislation without producing a true compromise. In debate, two new coal plants at Holcomb were discussed yet this bill allows for any number of coal plants to be built. The advantages of a bio-energy center and CO2 pipelines were praised but this bill in no way encourages or requires those investments. The amendment to reinstate limitations for CO2 production failed amid concerns that the Kansas economy would be restricted; the legislature could be promoting investments in green technology as a path to a more promising economic future. The bill limits the Secretary of the Kansas Department of Health and Environment’s ability to address the issue of global warming yet takes very limited legislative action to address this serious concern. The bill redefines “cooperative” so that a limited liability company or corporation owned by four or more electric cooperatives is itself a cooperative; since the definition of member was not changed, a board of directors rather than individual members would vote in the election for deregulation from the Kansas Corporation Commission. This bill leaves us with a significant carbon footprint but without a forward- looking solution. The people of Kansas deserve more. — MARCI FRANCISCO

Senators Hensley and Kelly request the record to show that they concur with the “Explanation of Vote” offered by Senator Francisco on **S Sub for HB 2066**.

MR. PRESIDENT: Passage of **S Sub for HB 2066** is the first step forward down the path of energy innovation and independence, regulatory certainty and much needed economic growth, not only for western Kansas, but indeed the entire state.

I vote "Aye" on this bill. — TIM HUELSKAMP

MR. PRESIDENT: Today's consideration of **S Sub for HB 2066** marks the beginning of a long overdue debate on energy policy in the State of Kansas. This is a complicated, multi-faceted and critical issue for our state and nation.

The bill begins laying out a regulatory framework for future energy policy. It looks to the future in creating a Commission to study and recommend policies for the state, including renewable energy and environmental concerns. The current plan for electrical generating plants in western Kansas includes an innovative bio-energy development.

We would be remiss if we did not mention the economic benefits of the development to western Kansas. The development of a plant(s) utilizing the latest in technology would provide hundreds of high-paying jobs and certainly broaden the tax base in western Kansas. It also would provide lower energy costs.

Today we begin to develop a comprehensive and coherent energy policy for Kansas. The debate will continue and we will listen.

It is time that we move forward. I vote "Yes." — NICK JORDAN

Senators Allen, Barone, Brownlee, Goodwin, Haley, Journey, Lee, Lynn, McGinn, Ostmeyer, Petersen, Pine, Taddiken, Teichman, Umbarger, Vratil and Wilson, and request the record to show they concur with the "Explanation of Vote" offered by Senator Jordan on **S sub for HB 2066**.

MR. PRESIDENT: I stand before the body with a great deal of turmoil within me: divided by excitement that we are finally beginning the dialog on meeting the future energy demands for Kansas in an economical and environmentally friendly way as well as disappointment that we sped through the process. It is my hope that this is the beginning of a long overdue discussion that will start the process to build greater energy independence through renewable sources such as wind, one of our greatest natural resources. The question that lies ahead of us is how we fund the infrastructure to get where we want to be without pricing citizens out of their homes. **S Sub for 2066** also addresses the concern over regulatory uncertainty. We have many small and large businesses in this state that are trying to compete in a global market. They work very hard to meet regulatory requirements that we, as legislators and state and federal regulators, impose on them. Kansans spend a great deal of money to comply with the law and if we don't uphold the rule of the law, we have not represented our citizens. Secretary Brembey's ruling against the Holcomb facility was not authorized by Kansas Statute. I see today as the starting point for bringing about renewable affordable energy for our citizens now and generations to come. — CAROLYN MCGINN

This bill takes the first step toward securing Kansas' future energy security. 95% of US energy resources lies in coal. The Holcomb plant, with its super-critical technology, will be one of the cleanest burning plants in the world. Associated with the coal plant is a bio-energy center that will consume up to 40% of the carbon emissions, making it even more environmentally friendly.

Wind power is also vital to Kansas' energy security. The biggest barrier to additional wind power development in Kansas is the need for additional transmission lines. The Holcomb plant will allow for the possibility of an additional 3,000 megawatts of wind to be developed in Kansas.

The future of the energy industry in our state will not rest with any one solution. Serious conservation efforts along with wind, ethanol, solar and other alternative energy sources will surely play a role. I am convinced it will take a combination of those alternatives plus coal-fired and natural gas driven plants to meet our future energy needs.

**Senate Substitute for House Bill 2066** is vitally important because it will restore a badly needed level of certainty to the regulatory environment in Kansas. Investors will not commit to projects in an uncertain regulatory environment. It is our responsibility as members of the Kansas legislature to ensure consistency in the permitting process in Kansas. — STEPHEN R. MORRIS

Senators Barone, Gilstrap, Goodwin, Journey, Lynn, McGinn, Petersen, Pine, Taddiken, Teichman and Umbarger, request the record to show they concur with the “Explanation of Vote” offered by Senator Morris on **S Sub for HB 2066**.

MR. PRESIDENT: Kansas, the Sunflower state, will shine a lot brighter when **S Sub for HB 2066** becomes law. — RALPH OSTMEYER

MR. PRESIDENT: I vote no on **S Sub for HB 2066**.

We have some of the cleanest air in the country and we need to keep our air pristine. It is my opinion that we have rushed this legislation through the Senate and that we are doing things in the wrong sequence.

I believe that the Legislature should develop a comprehensive Cutting Edge Energy Plan for the state of Kansas and *then*, based on the terms of the plan, energy resources can be developed — or built — whether they are coal, solar, wind or gas. But, we are getting ahead of ourselves by permitting the coal plant before we establish a Comprehensive Energy Policy.

This can be done before we leave Topeka in May. — JEAN SCHODORF

Senators Francisco and Kelly request the record to show they concur with the “Explanation of Vote” offered by Senator Schodorf on **S. Sub for HB 2066**.

MR. PRESIDENT: The human race will continue to burn coal for decades to come. This I firmly believe. As a person who is concerned about improving our environment, it is therefore my duty to find a way to burn coal in a cleaner and more sustainable method.

As a person concerned about our nation’s competitiveness, I support the idea of teaching ourselves to more efficiently and profitably harvest and utilize all the useful byproducts of coal consumption.

**S Sub for HB 2066** does not challenge or incent us or future generations of Kansans to improve or innovate with energy technology or policy. Therefore, I vote NO. — CHRIS STEINEGER

#### REPORT ON ENROLLED BILLS

**SR 1813** reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 14, 2008.

#### REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 471**, as amended by Senate Committee, be amended on page 1, in line 15, by striking all after “(a)”; by striking all in lines 16 and 17; in line 18, by striking “of revenue permits electronic filing.”;

On page 2, in line 34, by striking “90%” and inserting “75%”; and the bill be passed as amended.

Committee on **Commerce** recommends **SB 489** be amended on page 4, in line 10, by striking “may” and inserting “shall”; and the bill be passed as amended.

Committee on **Elections and Local Government** recommends **SB 519** be amended on page 3, in line 2, by striking “statute book” and inserting “Kansas register”; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 457** be amended on page 3, after line 13, by inserting the following:

“(c) Upon request thereof, the county clerk shall provide, without charge, assistance to any taxing subdivision or municipality in complying with the electronic filing requirements of this section.”;

On page 4, after line 6, by inserting the following:

“(d) Upon request thereof, the county clerk shall provide, without charge, assistance to any taxing subdivision or municipality in complying with the electronic filing requirements of this section.”; and the bill be passed as amended.

Also, **SB 460** be amended on page 6, in line 33, by striking “Said” and inserting “Members of township”;

On page 7, in line 12, by striking "which contain" and inserting "located in counties which have adopted the county unit road system as provided by K.S.A. 68-515b, and amendments thereto, or in townships having"; in line 35, by striking "thirty (30)" and inserting "30";

On page 8, in line 30, by striking "placed in" and inserting "credited to"; and the bill be passed as amended.

**SB 486** be amended on page 2, in line 3, by striking "legislator" and inserting "appointing authority"; in line 13, by striking "leg-"; in line 14, by striking "islator" and inserting "appointing authority"; in line 38, by striking "legislator" and inserting "appointing authority"; in line 40, by striking "legislator" and inserting "appointing authority"; in line 41, by striking "legislator" and inserting "appointing authority"; in line 43, by striking "legislator" and inserting "appointing authority";

On page 11, in line 41, by striking "may require such person to appear before the committee." and inserting "shall require such person to appear before the committee unless such person is being re-appointed to the same position.";

On page 37, after line 1, by inserting the following:

"Sec. 36. K.S.A. 75-4315a is hereby amended to read as follows: 75-4315a. Whenever it is provided by law that the governor shall appoint the secretary of any department of state government or the chief administrative or executive officer of any other agency of state government or that the secretary of any department of state government shall appoint the director of a division, whether any of the positions designated herein are in the classified or unclassified service of the Kansas civil service act, and whether such department, agency or division has been specified by statute or authorized by statute to be established, the governor or departmental secretary may appoint an acting secretary, chief administrative or executive officer or director to serve for a period not greater than ~~twelve (12)~~ six months. Any acting state officer appointed under authority of this section shall have and exercise all of the powers, duties and functions of the office in which he or she is acting. Subject to the approval of the state finance council, the governor or the secretary appointing an acting state officer shall fix the salary of the acting state officer if the position is in the unclassified service, and in no event shall the salary of the acting state officer be less than the amount the person appointed is receiving in such person's permanent state employment. ~~If the person appointed serves as an acting state officer for more than six (6) months, such person shall be paid the minimum rate of compensation established for the position in which such person is acting if such minimum rate of compensation is more than the compensation such person is receiving immediately prior to the expiration of such six (6) month period.~~ In the event the person appointed as an acting state officer is in the classified service prior to such appointment, such person shall retain the right to return to his or her permanent classified status without loss of any civil service right and his or her service shall be deemed to be continuous.";

And by renumbering the remaining sections accordingly;

Also on page 37, in line 5, after "75-3702a," by inserting "75-4315a,";

In the title, in line 11, after "75-2535," by inserting "75-4315a,"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 46**, **SB 481** be passed.

Committee on **Public Health and Welfare** recommends **SB 548** be passed.

Also, **SB 529** be amended on page 1, in line 17, by striking "meningococcal men-"; in line 18, by striking all before the colon and inserting "each infectious disease and each such disease's vaccines"; in line 19, by striking "its";

In the title, in line 10, by striking "meningitis" and inserting "infectious disease"; and the bill be passed as amended.

#### 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 Schodorf in the Chair.

On motion of Senator Schodorf the following report was adopted:

Recommended **SB 420**, **SB 426**, **SB 448**, **SB 476**, **SB 522** be passed.

**SB 438, SB 461, SB 462, SB 477, SB 479, SB 510** be amended by adoption of the committee amendments, and the bills be passed as amended.

**HB 2578** be amended by adoption of the committee report and further amended by motion of Senator V. Schmidt, as amended by Senate Committee, on page 2, in line 24, by striking all after "The" and inserting "board of pharmacy shall establish and implement a program"; and **HB 2578** be passed as further 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 **SB 420, SB 426, SB 438, SB 448, SB 461, SB 462, SB 476, SB 477, SB 479, SB 510, SB 522; HB 2578** were advanced to Final Action and roll call.

**SB 420**, An act repealing K.S.A. 72-5411; relating to school districts; relating to teachers' contracts.

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

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

Nays: Barone, Gilstrap, Hensley.

The bill passed.

**SB 426**, An act concerning school districts; relating to enrollment; amending K.S.A. 2007 Supp. 72-6407 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: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeier, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

**SB 438**, An act concerning certain firefighters, law enforcement officers and emergency medical services attendants; establishing certain employment rights.

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

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, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed, as amended.

**SB 448**, An act relating to corporations; concerning the application of general corporation code to certain cooperatives.

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

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, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

**SB 461**, An act concerning employment security law; amending K.S.A. 2007 Supp. 44-710 and 44-717 and repealing the existing sections.

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

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, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.



The bill passed, as amended.

**SB 462**, An act relating to motor carriers; concerning the regulation thereof; amending K.S.A. 66-1,139a and K.S.A. 2007 Supp. 44-765, 66-1,115, 66-1,116, 66-1,128, 66-1,139 and 66-1a01 and repealing the existing sections.

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

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, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed, as amended.

**SB 476**, An act relating to criminal procedure; concerning arrest for violating condition of probation and conditions of release; amending K.S.A. 22-3716 and K.S.A. 2007 Supp. 75-5217 and repealing the existing sections.

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

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, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

**SB 477**, An act relating to criminal procedure; concerning offender registration; amending K.S.A. 22-4902 and repealing the existing section.

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

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

Present and Passing: Francisco.

The bill passed, as amended.

**SB 479**, An act relating to crimes and punishment; providing for postrelease supervision for certain offenders; amending K.S.A. 21-4608 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: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed, as amended.

**SB 510**, An act concerning property taxation; relating to exemptions; certain farm machinery and equipment; amending K.S.A. 2007 Supp. 79-201j 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: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed, as amended.

**SB 522**, An act concerning motor vehicles; relating to registration of certain vehicles; amending K.S.A. 2007 Supp. 8-1,152 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: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee,

Lynn, McGinn, Morris, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

**HB 2578.** An act concerning health care; relating to the inspector general of the Kansas health policy authority; enacting the utilization of unused medications act; duties of the state department of health and environment and the state department on aging; amending K.S.A. 2007 Supp. 75-7427 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: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed, as amended.

On motion of Senator D. Schmidt the Senate adjourned until 8:00 a.m., Friday, February 15, 2008.

HELEN MORELAND, CHARLENE BAILEY, PAT MATZEK, *Journal Clerks.*

PAT SAVILLE, *Secretary of the Senate.*

