

Journal of the Senate

FIFTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, April 1 2008—9:00 a.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,

As You know, we “Americans call April 1st April Fool’s Day when we play practical jokes on each other.

You inspired Solomon in his book of Proverbs to use the Hebrew words for “fool” sixty times.

The Hebrew word meaning “empty person” is used four times. The word meaning “evil” is translated “fool” fifteen times. The Hebrew word which is translated “fool” forty-one times surprisingly means “self-confident!”

Considering the way it is used it must mean persons who put more confidence or faith in themselves than they do in You, O God.

I am especially grateful for the definition given in the following proverbs:

Fools hate knowledge (Proverbs 1:22)

A fool finds pleasure in evil conduct. (10:23)

The folly of fools is deception. (14:8)

A fool delights in airing his own opinions. (18:2)

He who trusts in himself is a fool. (28:26)

Help us, Lord, to have the wisdom to trust in You and not act like fools.

I pray in the Name of Jesus “Christ,

AMEN

The Pledge of Allegiance was led by President Stephen Morris.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **Sub HB 2543**.

Ways and Means: **HB 2839, HB 2891**.

CHANGE OF REFERENCE

The President withdrew **HB 2412** from the Committee on **Judiciary** and referred the bill to the Committee on **Commerce**.

The President withdrew **SB 469** from the Committee on **Ways and Means** and re-referred the bill to the Committee on **Utilities**.

MESSAGE FROM THE HOUSE

Announcing the House accedes to the request of the Senate for a conference on **House Substitute for SB 365** and has appointed Representatives **Schwartz, Bethell and Henry** as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **House Substitute for Substitute for SB 391** and has appointed Representatives McClelland, O'Neal and Sawyer as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 534** and has appointed Representatives Schwartz, Tapanelli and Feuerborn as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 669** and has appointed Representatives Aurand, Horst and Storm as conferees on the part of the House.

The House announces the appointment of Representatives Bethell and Henry to replace Representatives Tapanelli and Feuerborn as conferees on **House Substitute for Substitute SB 309**.

CHANGE OF CONFERENCE

The President announced the appointment of Senator Kelly to replace Senator Barone, on **Sub SB 453**.

The President announced the appointment of Senator Barone to replace Senator Kelly on **H Sub for SB 391**.

ORIGINAL MOTION

On motion of Senator Taddiken, the Senate acceded to the request of the House for a conference on **S Sub for HB 2210**.

The President appointed Senators Taddiken, Pine and Francisco as conferees on the part of the Senate.

On motion of Senator Taddiken, the Senate acceded to the request of the House for a conference on **HB 2897**.

The President appointed Senators Taddiken, Pine and Francisco as conferees on the part of the Senate.

CONFIRMATION OF APPOINTMENTS

In accordance with Senate Rule 56, the following appointments, submitted by the Governor, President of the Senate, Speaker of the House of Representatives, Minority Leader of the House of Representatives and Attorney General to the senate for confirmation, were considered.

Senator D. Schmidt moved the following appointments be confirmed as recommended by the Standing Senate Committees:

By the Governor:

On the appointment to the:

Kansas Agricultural Remediation Board, Member:

Kamyar Nikoomanesh, term expires March 15, 2011.

On roll call, the vote was: Yeas 35, Nays 0, Present and Passing 0, Absent or Not Voting 5.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Palmer, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas Agricultural Remediation Board, Member:

Timothy Peterson, term expires March 15, 2011.

On roll call, the vote was: Yeas 35, Nays 0, Present and Passing 0, Absent or Not Voting 5.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Palmer, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas Electric Transmission Authority, Board of Directors, Member:

Earnest Lehman, term expires March 15, 2011.

On roll call, the vote was: Yeas 35, Nays 0, Present and Passing 0, Absent or Not Voting 5.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Palmer, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas Highway Patrol, Superintendent:

Terry Lee Maple, to serve at the pleasure of the Governor.

On roll call, the vote was: Yeas 35, Nays 0, Present and Passing 0, Absent or Not Voting 5.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Palmer, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas Human Rights Commission, Member:

Lou Ann Thoms, term expires January 15, 2010.

On roll call, the vote was: Yeas 35, Nays 0, Present and Passing 0, Absent or Not Voting 5.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Palmer, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas, Inc.: Member:

Lawrence McCants, term expires January 15, 2009.

On roll call, the vote was: Yeas 35, Nays 0, Present and Passing 0, Absent or Not Voting 5.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Palmer, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas, Inc.: Member:

Don Schnacke, term expires January 15, 2010.

On roll call, the vote was: Yeas 35, Nays 0, Present and Passing 0, Absent or Not Voting 5.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Palmer, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas, Inc.: Member:

Stephen Waite, term expires January 15, 2010.

On roll call, the vote was: Yeas 35, Nays 0, Present and Passing 0, Absent or Not Voting 5.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Palmer, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas Lottery Commission, Member:

Joni Franklin Breitenbach, term expires March 15, 2011.

On roll call, the vote was: Yeas 35, Nays 0, Present and Passing 0, Absent or Not Voting 5.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Palmer, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas Lottery Commission, Member:

Robert S. Wunsch, term expires March 15, 2011.

On roll call, the vote was: Yeas 35, Nays 0, Present and Passing 0, Absent or Not Voting 5.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Palmer, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas Public Employees Retirement System, Board of Trustees, Member:

Tamla Edwards, term expires January 15, 2011.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas Public Employees Retirement System, Board of Trustees, Member:

Douglas Wolff, term expires January 15, 2011.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas Racing and Gaming Commission, Member:

Glenn R. Braun, term expires January 15, 2012.

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

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

Present and Passing: Huelskamp.

Absent or Not Voting: Barnett, Barone, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas Racing and Gaming Commission, Member:

William Falstad, term expires January 15, 2012.

On roll call, the vote was: Yeas 35, Nays 0, Present and Passing 0, Absent or Not Voting 5.

Yeas: Allen, Apple, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Barone, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas Racing and Gaming Commission, Member:

Carol Sader, term expires January 15, 2011.

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

Yeas: Allen, Apple, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Present and Passing: Wilson.

Absent or Not Voting: Barnett, Barone, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas Racing and Gaming Commission, Member:

Barry Schwan, term expires January 15, 2011.

On roll call, the vote was: Yeas 35, Nays 0, Present and Passing 0, Absent or Not Voting 5.

Yeas: Allen, Apple, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Barone, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas Technology Enterprise Corporation, Board of Directors, Member:

Bruce D. Dallman, term expires January 15, 2008.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas Technology Enterprise Corporation, Board of Directors, Member:

J. David McDonald, term expires January 15, 2011.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas Technology Enterprise Corporation, Board of Directors, Member:

Linda Reinhardt, term expires January 15, 2011.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

State Banking Board, Member:

Andrew Bias, term expires March 15, 2010.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

State Banking Board, Member:

James O'Sullivan, term expires March 15, 2010.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

State Banking Board, Member:

Larry K. Williams, term expires March 15, 2010.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

State Board of Regents, Member:

Jarold Boettcher, term expires June 30, 2011.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

State Board of Regents, Member:

Jill Docking, term expires June 30, 2010.

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

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

Present and Passing: Huelskamp.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

State Board of Regents, Member:

Richard Hedges, term expires June 30, 2011.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

State Board of Regents, Member:

Donna Shank, term expires June 30, 2010.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

State Board of Regents, Member:

Gary Sherrer, term expires June 30, 2011.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

State Board of Regents, Member:

William Thornton, term expires June 30, 2010.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

State Board of Tax Appeals, Member:

Fred Kubic, term expires January 15, 2012.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

State Board of Tax Appeals, Member:

Bruce Larkin, term expires January 15, 2012.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

State Civil Service Board, Member:

Patricia K. Pressman, term expires March 15, 2011.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

State Civil Service Board, Member:

Larry Wolgast, term expires March 15, 2009.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

State Corporation Commission, Member:

Joseph Harkins, term expires March 15, 2011.

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

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

Present and Passing: Huelskamp.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

State Corporation Commission:

Thomas E. Wright, term expires March 15, 2010.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

University of Kansas Hospital Authority, Board of Directors, Member:

George J. Farha, term expires March 15, 2010.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

University of Kansas Hospital Authority, Board of Directors, Member:

David M. Kerr, term expires March 15, 2010.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

University of Kansas Hospital Authority, Board of Directors, Member:

Patricia A. Gaunce, term expires March 15, 2011.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

University of Kansas Hospital Authority, Board of Directors, Member:

Robert D. Regnier, term expires March 15, 2009.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

University of Kansas Hospital Authority, Board of Directors, Member:

Linda Warren, term expires March 15, 2010.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

By the Attorney General:

On the appointment to the:

Crime Victims Compensation Board, Member:

Nan Porter, term expires March 15, 2009.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

By the President of the Senate:

On the appointment to the:

Kansas Bioscience Authority, Member:

Angela Marie Kreps, term expires March 15, 2011.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

By the President of the Senate:

On the appointment to the:

Kansas Bioscience Authority, Member:

Bill Sanford, term expires March 15, 2011.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

By the Speaker of the House of Representatives:

On the appointment to the:

Kansas Bioscience Authority, Member:

David Roy Franz, term expires March 15, 2011.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

By the Minority Leader of the House of Representatives:

On the appointment to the:

Kansas Bioscience Authority, Member:

Dan Clickman, term expires March 15, 2010.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas Health Policy Authority, Member:

Susan Marie Page, term expires March 15, 2011.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

On the appointment to the:

Kansas Health Policy Authority, Inspector General:

Robin Jeanine Kempf, term expires January 15, 2009.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

By the Governor:

On the appointment to the:

State Fire Marshall:

Daniel P. McLaughlin, serves at the pleasure of the Governor.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

By the Attorney General:

On appointment to the:

Kansas Bureau of Investigation, Director:

Robert Blecha, serves at the pleasure of the Attorney General.

On roll call, the vote was: Yeas 36, Nays 0, Present and Passing 0, Absent or Not Voting 4.

Yeas: Allen, Apple, Barone, 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, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson.

Absent or Not Voting: Barnett, Betts, Steineger, Wysong.

The appointment was confirmed.

REPORT ON ENGROSSED BILLS

SB 522, SB 558, SB 652, SB 655, SB 656; Sub SB 662; SB 673, SB 677 reported correctly engrossed March 31, 2008.

SB 584 reported correctly re-engrossed March 31, 2008.

SB 658 reported correctly engrossed April 1, 2008.

On motion of Senator D. Schmidt, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The Senate met pursuant to recess with President Morris in the chair.

COMMUNICATIONS FROM STATE OFFICERS

KANSAS HUMAN RIGHTS COMMISSION

March 31, 2008

In accordance with KSA 44-1004(13), William V. Minner, Executive Director, submitted the Annual Report for Fiscal Year 2007.

The President announced the above report 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 **HB 2685, HB 2978, HB 2983, HB 2991**.

Passage of **SB 524**.

Also, passage of **SB 189, as amended by House Substitute for SB 189; SB 387, as amended by House Substitute for SB 387; Substitute SB 485, as amended, SB 531, as amended**.

The House announces the appointment of Representatives Faber, Knox and Svaty to replace Representatives Myers, Goico and Ruff as conferees on **Senate Substitute for HB 2210**.

The House concurs in Senate amendments to **Substitute HB 2207**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2685, HB 2978, HB 2983, HB 2991 were thereupon introduced and read by title.

CONSIDERATION OF MOTIONS TO CONCUR OR NONCONCUR

On motion of Senator McGinn the Senate nonconcurred in the House amendments to **H Sub for SB 189** and requested a conference committee be appointed.

The President appointed Senators McGinn, Ostmeyer and Francisco as a conference committee on the part of the Senate.

On motion of Senator Umbarger the Senate nonconcurrred in the House amendments to **H Sub for SB 387** and requested a conference committee be appointed.

The President appointed Senators Umbarger, Emler and Kelly as a conference committee on the part of the Senate.

On motion of Senator Allen the Senate nonconcurrred in the House amendments to **SB 444** and requested a conference committee be appointed.

The President appointed Senators Allen, Donovan and Lee as a conference committee on the part of the Senate.

On motion of Senator Umbarger the Senate nonconcurrred in the House amendments to **Sub SB 485** and requested a conference committee be appointed.

The President appointed Senators Umbarger, Emler and Kelly as a conference committee on the part of the Senate.

On motion of Senator Allen the Senate nonconcurrred in the House amendments to **SB 510** and requested a conference committee be appointed.

The President appointed Senators Allen, D Schmidt and Lee as a conference committee on the part of the Senate.

On motion of Senator Schodorf the Senate nonconcurrred in the House amendments to **SB 531** and requested a conference committee be appointed.

The President appointed Senators Schodorf, Vratil and Hensley as a conference committee on the part of the Senate.

CHANGE OF CONFERENCE

The President announced the appointment of Senator Betts as a member of the Conference Committee on **HB 2019, HB 2217, HB 2280, HB 2332** to replace Senator Francisco.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

SENATE RESOLUTION No. 1849—

A RESOLUTION congratulating and commending the Smith Center High School football team for being the 2007 Kansas State High School Activities Association 2-1A State Football Champions.

WHEREAS, The 2007 state title is the 7th overall for the Smith Center Redmen and the 4th in as many years. The Redmen head into the fall 2008 season with a 54 game winning streak which is the longest active streak in Kansas, and just 12 games shy of the state record of 66 games; and

WHEREAS, The Redmen's exceptional 2007 season included setting a National Federation record by scoring 72 points in the first quarter of the team's 83-0 win over Plainville; setting a new scoring margin of 63.23 points per game; outscoring opponents in the regular season 557-0, with a final tally of 844-20; and being featured in a New York Times article; and

WHEREAS, Members of the football team and cheerleading squad are role models to younger students. Trading cards of each player and cheerleader are traded at the elementary school. If any of them breaks a contract agreeing to say no to alcohol, drugs and tobacco, the trading card is revoked and that player or cheerleader must go to the elementary school and explain why; and

WHEREAS, The Redmen were coached by Field Turf Bill Yoast National Coach of the Year Roger Barta, and assistant coaches Dennis Hutchinson, Brock Hutchinson, Mike Rogers and Tim Wilson: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the Smith Center Redmen football team be congratulated and commended for continuing an outstanding football tradition by winning the Kansas State High School Activities Association Class 2-1A state football championship; and

Be it further resolved: That the Secretary of the Senate provide 57 enrolled copies of this resolution to Senator Janis Lee for presentation to the team and its coaches.

On emergency motion of Senator Lee **SR 1849** was adopted unanimously.

Senator Lee recognized members of the team and their coaches and the Senators gave them a standing ovation.

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

SENATE RESOLUTION No. 1850—

A RESOLUTION congratulating and commending Smith Center Football Coach Roger Barta for being named the Field Turf Bill Yoast National Coach of the Year.

WHEREAS, Roger Barta, Smith Center High School football coach for more than 30 years, was named the Field Turf Bill Yoast National Coach of the Year by a committee of the Army All-American Bowl for being not only a great coach, but also for being a leader of young men and an excellent example of Army values; and

WHEREAS, The Smith Center Redmen's stellar record while under the direction of Roger Barta includes seven state championships; four consecutive 4A and four consecutive 2-1A titles; only one losing season; playing in the state championship games in all but two years; and a record of 276 wins to 58 losses in 30 years; and

WHEREAS, Going into the 2008 season, Roger Barta's team has a 54-game winning streak which is the longest active streak in Kansas and just 12 games shy of the state record of 66 games; and

WHEREAS, Coach Barta's positive influence on his players is evident in that three former players currently teach and coach at Smith Center; Brock Hutchinson, Mike Rogers and Tim Wilson. Brock Hutchinson's father Dennis has also been an assistant coach for many years; and

WHEREAS, Four other former players now coach football at other Kansas high schools; Dave King, Russell, Tim Lambert, St. Francis; Clint Merritt, Hugoton; and Coach Barta's son Brooks, Holton; and

WHEREAS, One former Smith Center player, Mark Simoneau, now plays for the New Orleans Saints as a linebacker; Simoneau said of Coach Barta: "He looks and sounds like a math teacher, which he is, and is about as laid back as they come. As good a coach as he is, he's a better guy. He treats people like gold."; and

WHEREAS, Smith Center High School's recent increase in student enrollment is believed to be in part due to the reputation of Coach Barta and his football program; of approximately 125 male students, more than 60% play football. Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the Field Turf Bill Yoast National Coach of the Year, Roger Barta, be congratulated and commended for implementing his ideal of sending Smith Center students into life knowing that every day means something, and for his years of excellence in teaching and coaching; and

Be it further resolved: That the Secretary of the Senate provide 5 enrolled copies of this resolution to Senator Janis Lee for presentation to Coach Barta.

On emergency motion of Senator Lee **SR 1850** was adopted unanimously.

Coach Roger Barta was introduced by Senator Lee and the Senators gave him a standing ovation.

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

SENATE RESOLUTION No. 1851—

A RESOLUTION congratulating and commending the Smith Center High School wrestling team.

WHEREAS, The Smith Center High School wrestling team won the 2008 Kansas State High School Activities Association Class 3-2-1A state wrestling championship; and

WHEREAS, The Redmen clinched their second consecutive state championship, and their first-ever outright state title, by beating out Mid-Continent League rival Phillipsburg by one point with a score of 127.5 points. The Beloit team, which was the 2007 Co-Champion with Smith Center, finished in third place with 121.5 points; and

WHEREAS, Smith Center won the state championship having four Redmen reach the finals and six medal winners, including State Champion Colt Rogers, runners-up Trevor Rempe, Travis Rempe and Kirk Palmer, and third-place finishers Marshall McCall and Grady Godsey; and

WHEREAS, Sophomore Colt Rogers captured his second state title at 125 pounds, winning a gold medal and capping an undefeated 33-0 season and an overall record of 71-0; and

WHEREAS, The team was well-coached throughout the season by Head Coach Brock Hutchinson and Assistant Coach Nate Smith; and

WHEREAS, The team had the enthusiastic support of the school's administrators, the faculty, the students, the team's parents, and many area citizens: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the Smith Center High School wrestling team for winning the 2008 Kansas State High School Activities Association Class 3-2-1A state wrestling championship; and

Be it further resolved: That the Secretary of the Senate provide 32 enrolled copies of this resolution to Senator Janis Lee for presentation to the Smith Center wrestling team.

On emergency motion of Senator Lee **SR 1851** was adopted unanimously.

Senator Lee recognized members of the team and their coaches and the Senators gave them a standing ovation

REPORT ON ENROLLED BILLS

SR 1846, SR 1847, SR 1848 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on April 1, 2008.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce** recommends **HB 2006**, as amended by House Committee, be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2006," as follows:

"SENATE Substitute for HOUSE BILL No. 2006

By Committee on Commerce

"AN ACT concerning the economic revitalization and reinvestment act; relating to the secretary of commerce and the Kansas development finance authority; authorizing the issuance of bonds for certain economic development projects; amending K.S.A. 2007 Supp. 74-50,136 and repealing the existing section.";

and the substitute bill be passed.

Also, **HB 2315**, as amended by Senate Committee, be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2315," as follows:

"SENATE Substitute for HOUSE BILL No. 2315

By Committee on Commerce

"AN ACT concerning real property; relating to the secretary of state; relating to home inspections; requiring home inspector registration and certificates.";

and the substitute bill be passed.

HB 2412, as amended by House Committee of the Whole, be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2412," as follows:

"SENATE Substitute for HOUSE BILL No. 2412

By Committee on Commerce

"AN ACT concerning the Kansas investments in major products and comprehensive training act (IMPACT); amending K.S.A. 2007 Supp. 74-50,104 and 74-50,107 and repealing the existing sections.";

and the substitute bill be passed.

Committee on **Ways and Means** recommends **SCR 1620** be adopted.

Also, **HB 2968** 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 Huelskamp in the Chair.

On motion of Senator Huelskamp the following report was adopted:

SB 672 be amended by motion of Senator Steineger, on page 5, preceding line 29, by inserting the following:

"New Sec. 5. Sections 5 through 9, and amendments thereto, shall be known and may be cited as the Kansas taxpayer transparency act.

New Sec. 6. (a) As used in the Kansas taxpayer transparency act:

(1) "Searchable website" means a website that allows the public to search and aggregate the information identified in subsection (b) including requirements that the website offer the public the ability to efficiently search and display data, and ascertain the total amounts of revenues and expenditures (A) of funds established within the state treasury in an aggregate or summary form in a manner determined by the secretary of administration, (B) of compensation paid to public employees employed by state agencies, and (C) of bond debt as specified in this act.

(2) "Agency" means any entity or instrumentality of the state of Kansas as defined in K.S.A. 75-3701, and amendments thereto, and any other entity or instrumentality delegated statutory authority by the legislature to issue bonds and to collect revenue for the purpose of repaying bonds issued under authority delegated by statute.

(3) "Board" means the public finance transparency board.

(b) No later than March 1, 2008, the secretary of administration shall develop and operate a single, searchable website accessible by the public at no cost to access, that includes:

(1) Annual expenditures, as determined by the secretary of administration and as available within the central accounting system and state payroll system, shall include, but not be limited to:

- (A) Disbursements by any state agency from funds established within the state treasury;
- (B) bond debt payments;
- (C) salaries and wages including, but not limited to, compensation paid to individual employees of state agencies;
- (D) contractual services including, but not limited to, amounts paid to individual vendors;
- (E) commodities including, but not limited to, amounts paid to individual vendors;
- (F) capital outlay including, but not limited to, amounts paid to individual vendors;
- (G) debt service including, but not limited to, amounts of bond interest paid and sources of funds paid for individual bond issues;
- (H) aid to local units including, but not limited to, amounts paid to individual units of government for individually identifiable aid programs;
- (I) other assistance and benefits; and
- (J) capital improvements including, but not limited to, amounts of bond principal paid and sources of funds paid for individual bond issues.

(2) Annual revenues, as determined by the secretary of administration and as available within the central accounting system, shall include, but not be limited to:

- (A) Receipts or deposits by any state agency into funds established within the state treasury;
- (B) taxes including, but not limited to, compulsory contributions imposed by the state for the purpose of financing services;
- (C) agency earnings including, but not limited to, amounts collected by each agency for merchandise sold, services performed, licenses and permits issued, or regulation;
- (D) revenue for the use of money and property including, but not limited to, amounts received for compensation for the use of state-owned money and property;
- (E) gifts, donations and federal grants including, but not limited to, amounts received from public and private entities to aid in support of a specific function or other governmental activity;
- (F) other revenue including, but not limited to, receipts not classified elsewhere; and
- (G) non-revenue receipts including, but not limited to, all receipts that do not constitute revenue.

(3) Annual bonded indebtedness which shall include, but not be limited to the amount of the total original obligation stated in terms of principal and interest, the term of the obligation, the source of funding for repayment of the obligation, the amounts of principal and interest previously paid to reduce the obligation, the balance remaining of the obligation, any refinancing of the obligation, and the cited statutory authority to issue such bonds.

(4) Any other relevant information specified by the secretary of administration after consulting with and seeking the advice of the public finance transparency board as established in section 7, and amendments thereto.

(c) The single website provided for in subsection (b) of this section shall include data for fiscal year 2002 and each fiscal year thereafter. The website shall be designed so that such data shall be retained on the single website for not less than 10 years and shall include data for the most recent fiscal years. Data that is available in the central accounting system and state payroll system shall be on the single website as soon as possible, but not later than 45 days after the last day of the preceding fiscal year. The secretary of administration shall develop policies and procedures to make data available from any other source. Nothing in this act shall require the secretary of administration to provide information on the website that is not available in the central accounting system and the state payroll system at the time of initial implementation of the website. After implementation of the initial website, the public finance transparency board shall advise the secretary of administration on incorporating additional information described by this act from any other source of information available to the secretary of administration including information submitted by state agencies pursuant to subsection (d) of this section.

(d) Any state agency shall provide, at the request of the secretary of administration, such information as is necessary to accomplish the purposes of this act.

(e) Nothing in this act shall permit or require the disclosure of information which is considered confidential by state or federal law.

New Sec. 7. (a) There is hereby established the public finance transparency board for the purpose of advising and consulting with the secretary of administration on the content, format and reports to be produced on the website established in section 6, and amendments thereto.

(b) The board shall consist of members as follows:

(1) The secretary of administration or the secretary's designee, who shall serve as chairperson of the board;

(2) the director of accounts and reports or the director's designee;

(3) two members who are chief executive officers of agencies of the executive branch or such officer's designees, appointed by the governor, who shall serve at the pleasure of the governor;

(4) four members of the general public, two appointed by the governor, one appointed by the president of the senate and one appointed by the speaker of the house;

(5) four members of the legislature, one appointed by the president of the senate, one appointed by the minority leader of the senate, one appointed by the speaker of the house, and one appointed by the minority leader of the house, all of whom shall serve at the pleasure of the appointing official;

(6) the legislative post auditor or such auditor's designee;

(7) the state archivist or such archivist's designee; and

(8) the director of legislative research or such director's designee.

(c) The board shall annually elect one member from the board as vice-chairperson and another as secretary.

(d) Eight members of the board shall constitute a quorum and the affirmative vote of eight members shall be necessary for any action taken by the board. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the rights and perform all the duties of the board.

(e) General public members and legislative members of the board attending meetings of the board, or attending subcommittee meetings thereof authorized by the board, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

(f) In order to achieve its purpose as provided in this act, the board shall:

(1) Advise the secretary of administration, after implementation of the initial website, on incorporating additional information described by this act from any other source of information available to the secretary of administration including information submitted by state agencies pursuant to subsection (d) of section 6, and amendments thereto;

(2) serve in an advisory capacity to the secretary of administration, who shall from time to time consult with and seek the advice of the board on matters related to the further development of the website, expansion of the content of information for the website, and new reports to be generated on the website to assist the public in accessing public information;

(3) seek advice from the general public, professional associations, academic groups and institutions and individuals with knowledge of and interest in areas of public information access, gateway services, add-on services and electronic information; and

(4) meet at least twice during each fiscal year on the call of the secretary of administration who shall set the agenda for such meetings, which shall include a report on the progress in implementing and developing the website, proposed enhancements to the website in terms of content, format, policies and procedures and reports, and other matters as deemed appropriate by the secretary of administration.

(g) All state agencies shall cooperate with the board in providing such assistance as may be requested for the achievement of its purpose.

New Sec. 8. The secretary of administration shall implement the provisions of this act by policies and procedures.

New Sec. 9. The provisions of sections 5 through 8, and amendments thereto, shall expire on June 30, 2013.”;

And by renumbering the remaining sections accordingly;

In the title, in line 9, after “ACT” by inserting “relating to public finance; creating the Kansas taxpayer transparency act.”; and **SB 672** be passed as amended.

SB 620 be amended by adoption of the committee amendments, and be further amended by motion of Senator Lee, by striking all on pages 2 through 4;

And by renumbering the remaining section accordingly;

In the title, in line 11, by striking all after “ucation”; in line 12, by striking all before the period;

Upon a showing of five hands, a roll call was requested.

On roll call, the vote was: Yeas 15, Nays 14, Present and Passing 5, Absent or Not Voting 6.

Yeas: Barone, Goodwin, Haley, Hensley, Huelskamp, Kelly, Lee, Morris, Ostmeyer, Palmer, Pine, Pyle, Steineger, Taddiken, Teichman.

Nays: Allen, Apple, Brownlee, Donovan, Jordan, Journey, Lynn, Petersen, Schmidt D, Schodorf, Umbarger, Vratil, Wilson, Wysong.

Present and Passing: Betts, Emler, Francisco, McGinn, Wagle.

Absent or Not Voting: Barnett, Bruce, Brungardt, Gilstrap, Reitz, Schmidt V.

The motion carried and the amendment was adopted.

SB 620 was further amended by motion of Senator Lee, on page 5, preceding line 1, by inserting:

“New Sec. 2. (a) There is hereby established the special education funding task force. The task force shall be composed of 11 members, as follows:

(1) One member appointed by the speaker of the house of representatives;

(2) one member appointed by the president of the senate;

(3) one member appointed by the minority leader of the house of representatives;

(4) one member appointed by the minority leader of the senate;

(5) six members appointed by the board of directors of the united school administrators.

Of such members, two members shall be from school districts having an enrollment of at least 12,000 pupils; two shall be from school districts having an enrollment of less than 12,000 but more than 1,636 pupils; and two shall be from school districts having an enrollment of 1,636 pupils or less. Members appointed pursuant to this paragraph shall include a person who is a member of the Kansas association of school business officers; a person who is a member of the Kansas association of special education directors; and one person who is a member of the Kansas association of school administrators; and

(6) the commissioner of education, or the designee thereof. The commissioner of education shall serve ex officio and shall be a nonvoting member of the task force.

(b) (1) If approved by the legislative coordinating council, members of the task force attending regular or special meetings or subcommittee meetings authorized by the task

force, shall be paid amounts for expenses, mileage and subsistence as provided in subsection (e) of K.S.A. 75-3223, and amendments thereto.

(2) The members of the task force shall select a chairperson and vice-chairperson from the membership of the task force.

(3) The task force may meet at any time and at any place within the state on the call of the chairperson. A quorum of the task force shall be six voting members. All actions of the task force shall be by motion adopted by a majority of those voting members present when there is a quorum.

(4) In accordance with K.S.A. 46-1204, and amendments thereto, the legislative coordinating council may provide for such professional services as may be requested by the task force.

(5) The staff of the office of the revisor of statutes, the legislative research department and the division of legislative administrative services shall provide such assistance as may be requested by the task force. Upon request of the task force, the state board of education shall provide consultants and assistance when requested by the task force. In addition and upon the request of the task force, the state board of education and school districts shall provide any information and supporting documentation related thereto.

(c) The special education funding task force shall:

(1) Study and make recommendations for changes in the existing formula for funding special education;

(2) conduct hearings and receive and consider suggestions from teachers, parents, the department of education, the state board of education, other governmental officers and agencies and the general public concerning funding for special education; and

(3) make and submit reports to the legislature on the work of the task force concerning recommendations of the task force. Such reports also shall include recommendations for legislative changes and shall be submitted to the legislature on or before January 14 of each year.

(d) The task force shall cease to exist on June 30, 2010.”;

And by renumbering the remaining section accordingly;

SB 620 was further amended by Senator Lee, on page 1, in line 18, by striking “each school”; in line 19, by striking “year” and inserting “in school year 2007-2008 and each school year thereafter,”; in line 41, after the period by inserting “The state board may establish deadlines for the submission of such documentation and information.

(e) The state board shall make the distribution of moneys under this section prior to determining the amount of state aid to be distributed under K.S.A. 72-978, and amendments thereto.”;

Also on page 1, in line 42, by striking “(e)” and inserting “(f)”;

SB 620 was further amended by Senator Lee, on page 5, in line 2, by striking “statute book” and inserting “Kansas register”, and **SB 620** be passed as further amended.

Senator Vratil withdrew an amendment on **SB 620**.

SB 693 be amended by adoption of the committee amendments, and be further amended by motion of Senator Brownlee, on page 2, by striking all in lines 3 and 4;

And by relettering the remaining subsections accordingly;

On page 4, in line 36, preceding “project” by inserting “qualified”;

On page 5, in line 5, by striking “not”, and **SB 693** be passed as further amended.

MESSAGE FROM THE HOUSE

The House announces the appointment of Representative Feuerborn to replace Representative Henry as a conferee on **House Substitute for Substitute for SB 309**.

On motion of Senator D. Schmidt the Senate adjourned until 9:00 a.m., Wednesday, April 2, 2008.

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

PAT SAVILLE, *Secretary of the Senate*.



APRIL 1, 2008

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CORRECTION OF THE JOURNAL

Correct the Journal of the Senate on Friday, March 28, 2008, on Page 1691 before the motion to adjourn the following:

CHANGE OF REFERENCE

The President withdrew **HB 2006** from the Committee on Ways and Means and re-referred the bill to the Committee on **Commerce**.