

# Journal of the Senate

FIFTY-SECOND DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Monday, March 29, 2010—10:00 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,

It occurred to me that we can have colorful lives . . . some positive +, some negative –

Our knuckles can get WHITE with anger  
Our eyes can get GREEN with envy  
Our face can get RED with embarrassment  
Our countenance can get PURPLE with rage  
We can find ourselves singing the BLUES  
We may want to TAN someone's hide

On the other hand . . . .

We can be in the PINK  
We can have SILVER linings and  
GOLDEN moments.

Lord, help us to forsake our negative colors,  
And enhance our positive colors.  
I pray in the Name of Jesus Christ,

AMEN

The Pledge of Allegiance was led by President Stephen Morris.

## CHANGE OF REFERENCE

The President withdrew **HB 2226** from the Committee on **Ways and Means**, and re-referred the bill to the Committee on **Judiciary**.

The President withdrew **HB 2491** from the Committee on **Ways and Means**, and re-referred the bill to the Committee on **Financial Institutions and Insurance**.

## MESSAGE FROM THE GOVERNOR

March 17, 2010

*Message to the Senate of the State of Kansas:*

Enclosed herewith is Executive Directive No. 10-406 for your information.

Sincerely,  
Mark Parkinson  
Governor

The President announced Executive Directive No. 10-406, Authorizing Expenditure of Federal Funds, is on file in the office of the Secretary of the Senate and is available for review at any time.

March 19, 2010

*Message to the Senate of the State of Kansas:*

Enclosed herewith is Executive Directive No. 10-407 for your information.

Sincerely,

Mark Parkinson  
Governor

The President announced Executive Directive No. 10-407, Authorizing Personnel Transactions, is on file in the office of the Secretary of the Senate and is available for review at any time.

**SB 326, SB 437, SB 441, SB 544** approved on March 26, 2010.

#### **INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS**

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

SENATE RESOLUTION No. 1856—

A RESOLUTION recognizing Geary County and Junction City in their observance of Vietnam Veterans Day and the 40th anniversary of the 1st Infantry Division's return to Kansas.

WHEREAS, On March 29, 1973, the final 2,500 American troops were withdrawn from South Vietnam, ending military involvement in what is now the longest war in our country's history; and

WHEREAS, Due to the era's turbulent cultural climate and the general unpopularity of the war, many returning veterans were not shown the respect and appreciation they deserved for their service to this country; and

WHEREAS, Since its unveiling, the Vietnam Memorial Wall in Washington, D.C., has paid eternal tribute to the 58,195 Americans who made the ultimate sacrifice for their country; and

WHEREAS, Of the names listed on the Vietnam Memorial Wall, 627 were from the State of Kansas; and

WHEREAS, In 1965, the 1st Infantry Division (Big Red One), stationed in Fort Riley, Kansas, was the first division called to fight in Vietnam; and

WHEREAS, After nearly five years of combat, the Big Red One returned home to Kansas in 1970. During its service in Vietnam, the division sustained 6,146 casualties; and

WHEREAS, Geary County and Junction City will honor the courage and sacrifice of Vietnam era veterans by marking March 29th as "Vietnam Veterans Day," and also by commemorating the 40th anniversary of the Big Red One's return to Kansas: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we recognize Geary County and Junction City in their observance of Vietnam Veterans Day and in the commemoration of the 40th anniversary of the Big Red One's return to Kansas, and join them in extending our sincere gratitude and appreciation to all Vietnam veterans for their service to this country; and

*Be it further resolved:* That the Secretary of the Senate provide enrolled copies of this resolution to Representative Barbara Craft; Senator Roger Reitz; the Dorothy Bramlage Public Library, 230 W. 7th St., Junction City, Kansas, 66441 and the Geary County Veterans Alliance, P.O. Box 1641, Junction City, Kansas, 66441 and Chuck Ford, Vietnam Veterans of America, Chapter 344, P.O. Box 1492, Junction City, Kansas, 66441.

On emergency motion of Senator Reitz **SR 1856** was adopted unanimously.

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

SENATE RESOLUTION No. 1857—

A RESOLUTION congratulating and commending the Norton Community High School wrestling team and Coach Bill Johnson for winning the 2010 Class 3-2-1A state wrestling championship.

WHEREAS, The Norton Community High School wrestling team won the 2010 Kansas State High School Activities Association Class 3-2-1A state wrestling championship held at the Gross Memorial Coliseum in Hays. Norton scored 174.5 points, outscoring runner-up Smith Center by 94 points. The team had a 32-11 win-loss record, and 9-3 pin ratio for the season; and

WHEREAS, The wrestling program at Norton has a history of success, but this year exceeded all expectations, with nine out of ten wrestlers competing winning medals, and brothers Kaenon and Landon “Tug” Keiswetter and John Risewick winning gold medals; and

WHEREAS, State medalists were:

103 pounds—John Risewick, first  
 125 pounds—Troy Bainter, second  
 130 pounds—Billy Broeckelman, fourth  
 140 pounds—Connor Pfannenstiel, fifth  
 145 pounds—Kaenon Keiswetter, first  
 152 pounds—Landon “Tug” Keiswetter, first  
 160 pounds—Spencer Shirk, second  
 171 pounds—Zane Perez, second  
 189 pounds—Kaid McKenna, fourth

At 215 pounds was Tyler Cook, who also wrestled well but just missed placing by two matches; and

WHEREAS, Assisting Head Coach Bill Johnson were Assistant Coaches Doug Ray, Shane Miller and Tony Fiscus, and the team managers were Cayleb Campbell, Vanessa Danesan, Alexis Lively, and Juliana Miller; and

WHEREAS, The members of this outstanding wrestling team, who had a theme this season of “The Brotherhood,” have received statewide recognition for their fine sportsmanship and athletic abilities; and

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

*Be it resolved by the Senate of the State of Kansas:* That the Norton Community High School wrestling team and Coach Johnson be congratulated and commended for winning the 2010 Kansas State High School Activities Association Class 3-2-1A state wrestling championship and that we extend our best wishes for their continued success and happiness; and

*Be it further resolved:* That the Secretary of the Senate be directed to send one enrolled copy of this resolution to Senator Ostmeyer.

On emergency motion of Senator Ostmeyer **SR 1857** was adopted unanimously.

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

SENATE RESOLUTION No. 1858—

A RESOLUTION congratulating and commending the Greeley County High School boys Cross Country team for winning the 2009 1A State Championship.

WHEREAS, The Greeley County High School boys Cross Country team won the 2009 1A State Championship in a competition that took place at the Wamego Country Club in Wamego, Kansas; and

WHEREAS, The Greeley County Jackrabbits were led by Isaac Wilson, who had a third place finish, and Kellum Schneider, who placed 10th. Ralph Stone placed 13th, Clay Robertson placed 15th, and Troy Wineinger placed 20th, to round out the top five runners for the Jackrabbits; and

WHEREAS, The team members are Clay Robertson, Kellum Schneider, Jonathan Splitter, Ralph Stone, Isaac Wilson, Seth Wineinger and Troy Wineinger; and

WHEREAS, Coach Greg Cook provided the instruction and guidance that allowed the Jackrabbits to have an outstanding season and to win the state title; and

WHEREAS, The Greeley County community is extremely proud of the team, and recognizes the hard work and dedication that are necessary to compete in such a difficult and intense high school sport: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate and commend the Greeley County High School boys Cross Country team for winning the 2009 IA Cross Country State Championship and extend our best wishes for their continued success and happiness; and

*Be it further resolved:* That the Secretary of the Senate be directed to send one enrolled copy of this resolution to Senator Ostmeyer.

On emergency motion of Senator Ostmeyer **SR 1858** was adopted unanimously.

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

SENATE RESOLUTION No. 1859—

A RESOLUTION congratulating and commending the Greeley County High School girls Cross Country team for winning the 2009 IA State Championship.

WHEREAS, The Greeley County High School girls Cross Country team won the 2009 IA State Championship, defending their championship from last year at the competition that took place at the Wamego Country Club in Wamego, Kansas; and

WHEREAS, The Greeley County Lady Jackrabbits had a dominating performance, led by Madison Moser, who finished in third place, and Kennedy Schneider, who placed 12th. Carly Robertson placed 21st and Brittany Splitter placed 28th as well, to round out the top four runners for the Lady Jackrabbits; and

WHEREAS, The team members are Sarah Jamison, Madison Moser, Carissa Ochsner, Carly Robertson, Kennedy Schneider, Brittany Splitter and Monica Veleta; and

WHEREAS, Coach Greg Cook provided the instruction and guidance that allowed the Lady Jackrabbits to achieve an incredible season and back-to-back titles; and

WHEREAS, The Greeley County community is extremely proud of the team, and recognizes the hard work and dedication that are necessary to compete in such a difficult and intense high school sport: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate and commend the Greeley County High School girls Cross Country team for winning the 2009 IA Cross Country State Championship and extend our best wishes for their continued success and happiness; and

*Be it further resolved:* That the Secretary of the Senate be directed to send one enrolled copy of this resolution to Senator Ostmeyer.

On emergency motion of Senator Ostmeyer **SR 1859** was adopted unanimously.

#### REPORT ON ENGROSSED BILLS

**SB 488, SB 572** reported correctly engrossed March 25, 2010.

#### REPORT ON ENROLLED BILLS

**SR 1847, SR 1848, SR 1849, SR 1850, SR 1851** reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 23, 2010.

**SB 372, SB 373, SB 394, SB 414, SB 415, SB 497; Sub SB 513; SB 533, SB 541** reported correctly enrolled, properly signed and presented to the Governor on March 26, 2010.

**SR 1809, SR 1852, SR 1853, SR 1854** reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 26, 2010.

On motion of Senator D. Schmidt, the Senate recessed until 11:00 p.m.

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

#### CONSIDERATION OF MOTIONS TO CONCUR OR NONCONCUR

Senator Owens moved the Senate concur in house amendments to **Sub SB 67**.

**Sub for SB 67**, An act concerning crimes and punishment; relating to mistreatment of a dependent adult; identity theft and identity fraud; criminal possession of a firearm; amending K.S.A. 21-3437 and 21-4018 and K.S.A. 2009 Supp. 21-4204 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: Abrams, Apple, Barnett, Brownlee, Bruce, Brungardt, Colyer, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huelskamp, Huntington, Kelly, Kelsey, Kultala, Lee, Lynn, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

Senator Owens moved the Senate concur in house amendments to **H Sub for SB 234**.

**H Sub for SB 234**, An act concerning civil procedure; relating to garnishment; amending K.S.A. 60-734, 60-737, 60-740, 61-3507 and 61-3510 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: Abrams, Apple, Barnett, Brownlee, Bruce, Brungardt, Colyer, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huelskamp, Huntington, Kelly, Kelsey, Kultala, Lee, Lynn, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

Senator Owens moved the Senate concur in house amendments to **H Sub for SB 305**.

**H Sub for SB 305**, An act concerning the Kansas tort claims act; relating to charitable health care providers; amending K.S.A. 2009 Supp. 75-6102 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: Abrams, Apple, Barnett, Brownlee, Bruce, Brungardt, Colyer, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huelskamp, Huntington, Kelly, Kelsey, Kultala, Lee, Lynn, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

Senator Owens moved the Senate concur in house amendments to **SB 346**.

**SB 346**, An act concerning the secretary of corrections; relating to costs of offenders in custody; transfer of certain offenders; amending K.S.A. 21-4632 and K.S.A. 2009 Supp. 75-5220 and repealing the existing sections.

On roll call, the vote was: Yeas 32, Nays 8, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Barnett, Brownlee, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Lee, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Reitz, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Apple, Colyer, Huelskamp, Lynn, Petersen, Pilcher-Cook, Pyle, Schmidt D.

The Senate concurred.

Senator Owens moved the Senate concur in house amendments to **SB 386**.

**SB 386**, An act concerning criminal procedure; relating to discovery and inspection; admissibility and certification of forensic examinations; allowing interactive video testimony in limited instances; amending K.S.A. 22-3212 and K.S.A. 2009 Supp. 22-3437 and repealing the existing sections; also repealing K.S.A. 22-3433.

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

Yeas: Abrams, Apple, Barnett, Brownlee, Bruce, Brungardt, Colyer, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huelskamp, Huntington, Kelly, Kelsey, Kultala, Lee, Lynn, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

Senator Teichman moved the Senate concur in house amendments to **SB 389**.

**SB 389**, An act concerning dental benefits under health insurance.

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

Yeas: Abrams, Apple, Barnett, Brownlee, Bruce, Brungardt, Colyer, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huelskamp, Huntington, Kelly, Kelsey, Kultala, Lee, Lynn, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

Senator Owens moved the Senate concur in house amendments to **SB 439**.

**SB 439**, An act concerning the secretary of state; relating to the Kansas register; amending K.S.A. 75-431 and K.S.A. 2009 Supp. 75-430 and repealing the existing sections; also repealing K.S.A. 75-432.

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

Yeas: Abrams, Apple, Barnett, Brownlee, Bruce, Brungardt, Colyer, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huelskamp, Huntington, Kelly, Kelsey, Kultala, Lee, Lynn, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

Senator Owens moved the Senate concur in house amendments to **H Sub for SB 458**.

**H Sub for SB 458**, An act concerning crimes, punishment and criminal procedure; relating to violations of the Kansas uniform securities act; amending K.S.A. 17-12a508 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: Abrams, Apple, Barnett, Brownlee, Bruce, Brungardt, Colyer, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huelskamp, Huntington, Kelly, Kelsey, Kultala, Lee, Lynn, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

Senator Vratil moved the Senate concur in house amendments to **SB 461**.

**SB 461**, An act concerning district magistrate judges; relating to compensation thereof; amending K.S.A. 2009 Supp. 75-3120k 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: Abrams, Apple, Barnett, Brownlee, Bruce, Brungardt, Colyer, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huelskamp, Huntington, Kelly, Kelsey, Kultala, Lee, Lynn, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

Senator Owens moved the Senate concur in house amendments to **SCR 1615**.

**SCR 1615**, A CONCURRENT RESOLUTION claiming sovereignty under the Tenth Amendment to the Constitution of the United States over certain powers; serving notice to the federal government to cease and desist certain mandates; providing that certain federal legislation be prohibited or repealed; and directing distribution.

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

Yeas: Abrams, Apple, Barnett, Brownlee, Bruce, Brungardt, Colyer, Donovan, Emler, Francisco, Holland, Huelskamp, Huntington, Kelly, Kelsey, Kultala, Lee, Lynn, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Vratil, Wagle.

Nays: Faust-Goudeau, Haley, Hensley, Umbarger.

The Senate concurred.

## EXPLANATION OF VOTE

MR. PRESIDENT: Once again, I am pleased to vociferously vote “NO” on **SCR 1615**. As a native Kansan and a proud American, who pledges allegiance practically every day to the flag of the United States of America, even “mere” words of sedition from the indivisibility of our great, though sometimes imperfect, country disappoint and even alarm me.

Kansas, though sovereign, is a part of a federal system which is the strongest nation on the face of the planet.

David Haley, as citizen and as Kansas Senator, will proudly defend the sanctity of this Union, as I would hope any *true* patriot might, against any adversary . . . foreign, or domestic. May God bless Kansas and may God bless the United States of America. — DAVID HALEY

On motion of Senator Emler the Senate nonconcurred in the House amendments to **H Sub for SB 306** and requested a conference committee be appointed.

The President appointed Senators Brungardt, Reitz and Faust-Goudeau.

On motion of Senator Emler the Senate nonconcurred in the House amendments to **H Sub for SB 310** and requested a conference committee be appointed.

The President appointed Senators Owens, D. Schmidt and Kelly.

On motion of Senator Owens the Senate nonconcurred in the House amendments to **Sub SB 353** and requested a conference committee be appointed.

The President appointed Senators Owens, D. Schmidt and Haley.

**CHANGE OF CONFERENCE**

The President announced the appointment of Senator Kelly as a member of the Conference Committees on **SB 368**, **SB 369** to replace Senator Haley.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2115**, submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

PAT APPLE  
MIKE PETERSEN  
MARCI FRANCISCO  
*Conferees on part of Senate*

MELVIN NEUFELD  
MIKE KIEGERL  
JUDITH LOGANBILL  
*Conferees on part of House*

On motion of Senator Apple, the Senate adopted the conference committee report on **S Sub for HB 2115**, and requested a conference committee be appointed.

The President appointed Senators Apple, Petersen and Francisco as a second Conference Committee on the part of the Senate on **S Sub for HB 2115**.

**INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS**

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

SENATE RESOLUTION No. 1860—

A RESOLUTION congratulating and commending Smith Center football coach Roger Barta for the 300th win of his career.

WHEREAS, Roger Barta, Smith Center High School football coach, achieved the 300th win of his career on November 13, 2009, when his Smith Center Redmen defeated the Meade Buffaloes 10-0; and

WHEREAS, Coach Barta is only the fifth Kansas high school coach to achieve 300 career wins; and

WHEREAS, Coach Barta did not become a head coach until he was 33 years old and achieved all 300 career wins as head coach at Smith Center; and

WHEREAS, Coach Barta has acknowledged the people of Smith Center, school district personnel and his assistant coaches for their support and assistance in achieving 300 career wins; and

WHEREAS, Coach Barta plans to continue coaching and will certainly achieve more in his career: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That Smith Center football coach Roger Barta be congratulated and commended for the 300th win of his career and for his years of excellence in teaching and coaching; and

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

On emergency motion of Senator Lee **SR 1860** was adopted unanimously.

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

SENATE RESOLUTION No. 1861—

A RESOLUTION congratulating and commending the Thomas More Prep-Marian girls' basketball team for winning their first Class 3A State Basketball Championship and for breaking a school record by winning 24 games in a row.

WHEREAS, The Thomas More Prep-Marian girls' basketball team won the 2010 Kansas State High School Activities Association Class 3A State Basketball Championship with a 56-45 victory over Marion High School in the state championship game at the Sports Arena in Hutchinson on March 13, 2010; and

WHEREAS, The Thomas More Prep-Marian Monarchs girls' basketball team finished the season with a record of 25-1. The team broke a school record by winning 24 straight games and won their first state basketball championship; and

WHEREAS, The members of the championship team are: Kaylee Hoffman, Jessa Stramel, Sophia Schippers, Shaunna Ruder, Rachel Jacobs, Jenna Lang, Rebecca Pray, Allison Marsell, Heather Ruder, Katelyn Schumacher, Jenna Schuckman and Annie Mindrup. The head coach is Alan Billinger and the assistant coach is Dan Ruda. Team managers are Brianna Haselhorst and Bailee Chrisler: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That the Thomas More Prep-Marian girls' basketball team and Coach Alan Billinger be congratulated for winning the 2010 Kansas High School Activities Association Class 3A State Basketball Championship and for breaking their school record by winning 24 games in a row. We commend their commitment and hard work and extend our best wishes for their continued success and happiness; and

*Be it further resolved:* That the Secretary of the Senate be directed to send 14 enrolled copies of this resolution to Senator Lee.

On emergency motion of Senator Lee **SR 1861** was adopted unanimously.

#### REPORT ON ENROLLED BILLS

**SB 393, SB 410, SB 460; Sub SB 475; SB 491, SB 500, SB 519** reported correctly enrolled, properly signed and presented to the Governor on March 29, 2010.

On motion of Senator D. Schmidt, the Senate recessed until 4:00 p.m.

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

#### MESSAGE FROM THE HOUSE

Announcing passage of **HB 2446**.

Passage of **SCR 1623**.

Also, passage of **SB 75, as amended by House Substitute for SB 75, SB 255, as amended by House Substitute for SB 255, SB 312, as amended by House Substitute for SB 312; SB 435, as amended, SB 531, as amended.**

Senate bills stricken from the Calendar under House Rule 1507: **House Substitute for SB 26, House Substitute for SB 43; H Sub for SB 118; House Substitute for SB 345;**



**SB 371, SB 380, SB 395; House Substitute for SB 425; SB 455; Substitute for SB 462; SB 471, SB 485, SB 490.**

The House nonconcurrs in Senate amendments to **Senate Substitute for Substitute HB 2538**, requests a conference and appoints Representatives Carlson, King and Menghini as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2561**, requests a conference and appoints Representatives Hazlett, Vickrey and Long as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **Senate Substitute for HB 2582**, requests a conference and appoints Representatives C. Holmes, Knox and Kuether as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2660**, requests a conference and appoints Representatives Hayzlett, Vickrey and Long as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2704**, requests a conference and appoints Representatives Aurand, Horst and Winn as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **House Substitute for SB 25** and has appointed Representatives Landwehr, Crum and Flaharty as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **House Substitute for SB 269** and has appointed Representatives Kinzer, Whitham and Pauls as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 359** and has appointed Representatives Aurand, Horst and Winn as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 362** and has appointed Representatives McLeland, Aurand and Lane as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **House Substitute for SB 377** and has appointed Representatives Brunk, Grange and Ruiz as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **House Substitute for SB 381** and has appointed Representatives Kinzer, Whitham and Pauls as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 382** and has appointed Representatives A. Brown, Proehl and Grant as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 388** and has appointed Representatives Shultz, Peck and Swenson as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 389** and has appointed Representatives Shultz, Peck and Swenson as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 434** and has appointed Representatives Colloton, Patton and McCray-Miller as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 452** and has appointed Representatives Neufeld, Kiegerl and Loganbill 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 SB 514** and has appointed Representatives Neufeld, Kiegerl and Loganbill as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 537** and has appointed Representatives Kinzer, Whitham and Pauls as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SCR 1614** and has appointed Representatives Burgess, Landwehr and D. Gatewood as conferees on the part of the House.

#### **INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS**

**HB 2446** was thereupon introduced and read by title.

**ORIGINAL MOTION**

Pursuant to Senate Rule 75, President Morris determined **SB 435**, as amended by the House, to be materially changed.

President Morris referred the bill to the Committee on **Federal and State Affairs**.

**REPORTS OF STANDING COMMITTEES**

Committee on **Judiciary** recommends **HB 2226**, as amended by House Committee, be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2226," as follows:

"SENATE Substitute for HOUSE BILL No. 2226

By Committee on Judiciary

"AN ACT concerning district court fines, penalties and forfeitures; relating to traffic fines; relating to funding of the alcohol and drug abuse treatment fund; creating the criminal justice information system line fund; amending K.S.A. 2009 Supp. 8-2118 and 74-7336 and repealing the existing sections."; and the substitute bill be passed.

On motion of Senator D. Schmidt, the Senate recessed until 4:45 p.m.

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

**MESSAGE FROM THE HOUSE**

The House accedes to the request of the Senate for a conference on **House Substitute for SB 306** and has appointed Representatives Neufeld, Kiegerl and Loganbill as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **House Substitute for SB 310** and has appointed Representatives Kinzer, Whitham and Pauls as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **Substitute for SB 353** and has appointed Representatives Colloton, Patton and McCray-Miller as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **Sub HB 2345**, requests a conference and appoints Representatives Shultz, Peck and Swenson as conferees on the part of the House.

The House adopted the conference committee report to agree to disagree on **S Sub for HB 2115** and has appointed Representatives Neufeld, A. Brown and Loganbill as second conferees on the part of the House.

**ORIGINAL MOTION**

On motion of Senator Teichman, the Senate acceded to the request of the House for a conference on **Sub HB 2345**.

The President appointed Senators Teichman, Brownlee and Steineger as conferees on the part of the Senate.

On motion of Senator Brownlee, the Senate acceded to the request of the House for a conference on **S Sub for Sub HB 2538**.

The President appointed Senators Brownlee, Lynn and Holland as conferees on the part of the Senate.

On motion of Senator Umbarger, the Senate acceded to the request of the House for a conference on **HB 2561**.

The President appointed Senators Umbarger, Huntington and Kultala as conferees on the part of the Senate.

On motion of Senator Apple, the Senate acceded to the request of the House for a conference on **S Sub for HB 2582**.

The President appointed Senators Apple, Petersen and Lee as conferees on the part of the Senate.

On motion of Senator Umbarger, the Senate acceded to the request of the House for a conference on **HB 2660**.

The President appointed Senators Umbarger, Marshall and Kultala as conferees on the part of the Senate.

On motion of Senator Schodorf, the Senate acceded to the request of the House for a conference on **HB 2704**.

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

#### **CONSIDERATION OF MOTIONS TO CONCUR OR NONCONCUR**

Senator Barnett moved the Senate concur in house amendments to **H Sub for SB 25**.

Senator Brungardt moved the Senate concur in house amendments to **H Sub for SB 75**.

Senator Teichman moved the Senate concur in house amendments to **H Sub for SB 200**.

Senator Donovan moved the Senate concur in house amendments to **H Sub for SB 255**.

Senator Donovan moved the Senate concur in house amendments to **H Sub for SB 312**.

Senator Brungardt moved the Senate concur in house amendments to **SB 531**.

Final Action on the above concurs will be Tuesday, March 30, 2010.

On motion of Senator Brungardt the Senate nonconcurred in the House amendments to **H Sub for SB 214** and requested a conference committee be appointed.

The President appointed Senators Brungardt, Reitz and Faust-Goudeau.

#### **CONFERENCE COMMITTEE REPORT**

Senator Apple moved the Senate adopt the Conference Committee Report on **HB 2652**.

Final Action on the Conference Committee Report will be Tuesday, March 30, 2010.

On motion of Senator D. Schmidt the Senate adjourned until 10:00 a.m., Tuesday, March 30, 2010.

HELEN MORELAND, ROSE MARIE GLATT, SHIRLEY LAMOTT, *Journal Clerks*.

PAT SAVILLE, *Secretary of the Senate*.

