

SENATE CALENDAR

No. 58

Wednesday, May 4, 2011
SENATE CONVENES AT 10:00 AM

Order of Business

ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

Reference of Bills and Concurrent Resolutions

Reference of Appointments

MESSAGES FROM THE GOVERNOR

COMMUNICATIONS FROM STATE OFFICERS

MESSAGES FROM THE HOUSE

Consideration of Motions to Concur or Nonconcur 97—

SB 97, AN ACT concerning courts; relating to court fees and costs; relating to the judicial branch surcharge fund; docket fees for expungement of records; amending Section 254 of chapter 136 of the 2010 Session Laws of Kansas and K.S.A. 2010 Supp. 8-2107, 8-2110, 22-2410, 23-108a, 28-170, 28-172a, 28-177, 28-178, 38-2215, 38-2312, 38-2314, 59-104, 60-1621, 60-2001, 60-2203a, 61-2704 and 61-4001 and repealing the existing sections.

Committee on Judiciary

(As amended by the House)

REPORTS OF SELECT COMMITTEES

10—

SB 10, AN ACT concerning taxation; relating to sales taxation, countywide retailers', sales tax, periods of limitation for certain refunds and credits; property taxation, delinquent or underpaid taxes and overpayment of taxes, clerical errors, rate of interest; amending K.S.A. 79-2968 and K.S.A. 2010 Supp. 12-187, 12-189, 12-192, 79-1701a and 79-3609 and repealing the existing sections.

Committee on Assessment and Taxation

(House adopts conference committee report)

(Action pending)

93—

SB 93, AN ACT concerning racial or other biased-based policing; amending K.S.A. 22-4606, 22-4609, 22-4610 and 22-4611, and repealing the existing sections; also repealing K.S.A. 22-4604 and 22-4608.

Committee on Federal and State Affairs

(House adopts conference committee report)

(Action pending)

124—

SB 124, AN ACT concerning water; relating to water supply storage access; water rights conservation program; multi-year flex accounts; Arkansas river gaging fund; amending K.S.A. 2010 Supp. 82a-718, 82a-731 and 82a-736 and repealing existing sections.

Committee on Natural Resources

(House adopts conference committee report)

(Action pending)

Consideration of Appointments*By the Governor:**Kansas Corporation Commission:*

Mark P. Sievers, Member, to serve a four year term, expiring March 15, 2015

(Utilities)

(Be Confirmed)

Pooled Money Investment Board:

Robert Chestnut, Member, to serve a four year term, expiring March 15, 2012

(Financial Institutions and Insurance)

(Be Confirmed)

Consent Calendar**(Senate action to be taken on third day or thereafter)**

Final Action on Bills and Concurrent Resolutions

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

CORRECTION AND APPROVAL OF THE JOURNAL

CONSIDERATION OF MOTIONS AND SENATE RESOLUTIONS

In accordance with subsection(b) of Senate Rule 11, Senator Abrams gave notice May 3, 2011, of his motion to withdraw **H Sub SB 25** from the Committee on Federal and State Affairs on May 4, 2011.

This is an important piece of legislation for many people in the State of Kansas. The state has a vested right to regulate sexually oriented businesses because of the negative secondary effects that come with sexually oriented businesses. – Steve E. Abrams

1854—

SR 1854, A RESOLUTION recognizing the misuse and abuse of prescription drug medications as a major threat to public health and safety in Kansas and nationwide.

Senator Haley

REPORTS OF STANDING COMMITTEES

General Orders

247—

SB 247, AN ACT reconciling amendments to certain statutes and making certain technical changes related thereto; amending K.S.A. 19-4804, 20-369, as amended by section 4 of chapter 101 of the 2010 Session Laws of Kansas, 22-2307, as amended by section 8 of chapter 101 of the 2010 Session Laws of Kansas, 22-2908, as amended by section 9 of chapter 101 of the 2010 Session Laws of Kansas, 58-2011, as amended by section 23 of 2011 Senate Bill No. 112, 60-1620, as amended by section 44 of 2011 Senate Bill No. 24, 65-445, as amended by section 2 of 2011 House Bill No. 2035, 65-6703, as amended by section 4 of 2011 House Bill No. 2035 and 65-6721, as amended by section 8 of 2011 House Bill No. 2035 and K.S.A. 2009 Supp. 22-2909, as amended by section 10 of chapter 101 of the 2010 Session Laws of Kansas and K.S.A. 2010 Supp. 8-116a, as amended by section 1 of 2011 House Bill No. 2192, 8-259, 8-1020, 8-2118, 9-1703, as amended by section 1 of 2011 House Bill No. 2056, 12-1774, 12-17,149, 12-4117, 22-2410, 22-2802, as amended by section 118 of 2011 House Bill No. 2339, 22-3305, 22-3428, 22-3428a, 22-3437, 38-2258, 38-2373, 40-2,118, as amended by section 6 of 2011 House Bill No. 2030, 60-740, 60-3107, as amended by section 46 of 2011 Senate Bill No. 24, 65-530, 66-2304 and 75-52,127 and sections 52, 189, 194 and 266 of chapter 136 of the

2010 Session Laws of Kansas and section 244 of chapter 136 of the 2010 Session Laws of Kansas, as amended by section 66 of 2011 House Bill No. 2339, section 285 of chapter 136 of the 2010 Session Laws of Kansas, as amended by section 1 of 2011 Senate Substitute for House Bill No. 2008 and section 298 of chapter 136 of the 2010 Session Laws of Kansas, as amended by section 81 of 2011 House Bill No. 2339 and section 36 of 2011 Senate Bill No. 24 and repealing the existing sections; also repealing K.S.A. 19-4804, as amended by section 108 of 2011 House Bill No. 2339, 20-369, as amended by section 109 of 2011 House Bill No. 2339, 22-2307, as amended by section 120 of 2011 House Bill No. 2339, 22-2908, as amended by section 121 of 2011 House Bill No. 2339, 58-2011, as amended by section 24 of 2011 Senate Bill No. 229, 60-1620, as amended by section 218 of 2011 House Bill No. 2339, 65-445, as amended by section 4 of 2011 House Bill No. 2218, 65-6703, as amended by section 247 of 2011 House Bill No. 2339, 65-6721, as amended by section 248 of 2011 House Bill No. 2339 and K.S.A. 2009 Supp. 22-2909, as amended by section 122 of 2011 House Bill No. 2339 and K.S.A. 2010 Supp. 8-116a, as amended by section 85 of 2011 House Bill No. 2339, 8-259a, 8-1020a, 8-2118b, 9-1703, as amended by section 4 of 2011 Senate Bill No. 229, 12-1774c, 12-17,149a, 12-4117a, 21-4603d, as amended by section 1 of 2011 House Bill No. 2118, 22-2410, as amended by section 114 of 2011 House bill No. 2339, 22-2802, as amended by section 2 of 2011 House Bill No. 2118, 22-3305a, 22-3428c, 22-3428d, 22-3437a, 38-2258a, 38-2373a, 40-2,118, as amended by section 177 of 2011 House Bill No. 2339, 60-740a, 60-1610, as amended by section 8 of 2011 Senate Bill No. 38, 60-1610, as amended by section 217 of 2011 House Bill No. 2339, 60-1629, as amended by section 219 of 2011 House Bill No. 2339, 60-3107, as amended by section 221 of 2011 House Bill No. 2339, 65-504a, 65-530a, 65-1626d, 66-2304, as amended by section 249 of 2011 House Bill No. 2339 and 75-52,127, as amended by section 281 of 2011 House Bill No. 2339 and section 52 of chapter 136 of the 2010 Session Laws of Kansas, as amended by section 21 of 2011 House Bill No. 2339, section 189 of chapter 136 of the 2010 Session Laws of Kansas, as amended by section 51 of 2011 House Bill No. 2339, section 194 of chapter 136 of the 2010 Session Laws of Kansas, as amended by section 54 of 2011 House Bill No. 2339, section 244 of chapter 136 of the 2010 Session Laws of Kansas, as amended by section 3 of 2011 House Bill No. 2118, section 266 of chapter 136 of the 2010 Session Laws of Kansas, as amended by section 72 of 2011 House Bill No. 2339, section 285 of chapter 136 of the 2010 Session Laws of Kansas, as amended by section 77 of 2011 House Bill No. 2339 and section 298 of chapter 136 of the 2010 Session Laws of Kansas, as amended by section 1 of 2011 House Bill No. 2038.

Committee on Ways and Means

(Committee of the Whole)

5024—

HCR 5024, A CONCURRENT RESOLUTION recognizing Lecompton as a Territorial Capital.

Representative O'Neal

(Committee of the Whole)

ANTICIPATED END OF DEBATE CALENDAR

Sub 7—

Sub SB 7, AN ACT concerning driving under the influence; relating to testing; administrative penalties; crimes, punishment and criminal procedure; amending K.S.A. 8-285, 8-1008, 8-1009, 8-1016, 8-1017, 12-4414, 12-4415, 12-4416, 22-2908, 22-3610, 22-4704 and 22-4705 and K.S.A. 2009 Supp. 8-1567, as amended by section 3 of chapter 153 of the 2010 Session Laws of Kansas, and K.S.A. 2010 Supp. 8-235, 8-262, 8-2,142, 8-2,144, 8-1001, 8-1012, 8-1013, 8-1014, 8-1015, 8-1020, 8-1022, 12-4104, 12-4106, 12-4516, 12-4517, 22-2802, 22-2909, 22-3717, 28-176, 60-427, 74-2012 and 74-7301 and sections 14, 254, 285 and 292 of chapter 136 of the 2010 Session Laws of Kansas and repealing the existing sections; also repealing K.S.A. 2009 Supp. 21-4704, as amended by section 6 of chapter 147 of the 2010 Session Laws of Kansas, 22-2908, as amended by section 9 of chapter 101 of the 2010 Session Laws of Kansas, and 22-2909, as amended by section 10 of chapter 101 of the 2010 Session Laws of Kansas, and K.S.A. 2010 Supp. 8-1020a, 8-1567, 21-4704 and 22-3717c.

Committee on Judiciary

(Judiciary)
(Be Passed)

54—

SB 54, AN ACT concerning alcoholic beverages; relating to retailer's licenses under the Kansas liquor control act; amending K.S.A. 41-713 and 41-1101 and K.S.A. 2010 Supp. 41-102, 41-301, 41-303, 41-311, 41-313, 41-326 and 79-4108 and repealing the existing sections; also repealing K.S.A. 41-103, 41-308 and 41-711.

Committee on Federal and State Affairs

(Federal and State Affairs)
(Be Passed as Amended)

43—

SB 43, AN ACT concerning certain public officers and employees; amending K.S.A. 25-4142 and 46-269 and K.S.A. 2010 Supp. 25-4143 and 25-4157a and repealing the existing sections.

Committee on Ethics and Elections

(Ethics and Elections)
(Be Passed as Amended)

56—

SB 56, AN ACT concerning crimes and punishment; relating to criminal sodomy; amending section 68 of chapter 136 of the 2010 Session Laws of Kansas and repealing the existing section; also repealing K.S.A. 2010 Supp. 21-3506.

Committee on Judiciary

(Judiciary)
(Be Passed)

Bills Adversely Reported

Status of Bills and Resolutions

Senate bills passed in Senate: Nos. 1, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 17, 21, H Sub 23, 24, 25, 28, Sub 33, 34, 35, H Sub 36, 37, 38, 40, 41, 45, 46, Sub 50, 51, 52, 55, 58, 59, 60, 61, 62, 63, 65, 67, Sub 72, 74, 76, 77, 79, 80, Sub 81, 83, 85, 90, Sub 92, 93, 97, 100, H Sub 101, 103, 104, 108, Sub 111, 112, 114, 115, 116, 118, 119, 120, 122, 123, 124, 125, 126, Sub 127, 128, 129, 133, 134, 135, 136, Sub 138, 139, 142, 143, 145, 150, 152, 154, 155, Sub 159, 160, 170, 176, 177, 179, 182, 185, 186, 188, 191, 193, 196, 198, 201, 210, 211, 212, H Sub 213, H Sub 214, 215, 216, 223, 224, 225, 227, 229, Sub 234

Senate bills killed in Senate:

Senate bills passed by the House: Nos. 9, 12, 15, H Sub 23, 24, H Sub 36, 38, 67, Sub 72, 80, H Sub 101, 103, 112, 119, 122, 123, 125, 136, 152, 170, 179, 185, 186, 188, 198, 210, 212, H Sub 213, H Sub 214, 215, 224, 227, 229

Senate bills killed in the House: Nos. Sub 33, 65, 85

Senate bills in conference: Nos. H Sub 6, 10, 11, 14, H Sub 37, Sub 50, H Sub 55, H Sub 60, 61, H Sub 63, 76, 77, 83, 93, 115, 124, H Sub for Sub 127, H Sub 129, 134, 143, 150, 193, H Sub 196

Senate bills awaiting the signature of the Governor:

Senate bills signed by the Governor: Nos. 9, 12, 15, 24, 38, Sub 72, 80, H Sub 101, 103, 112, 119, 122, 125, 152, 179, 185, 186, 188, 198, 210, 212, 215, 224, 227, 229

Senate bills signed by the Governor and published in Kansas register: Nos. 12, 80, H Sub 101, 210, 212

Senate bills becoming law without Governor's signature:

Senate bills vetoed by Governor:

Senate bills line item vetoed by Governor:

Senate bills becoming law notwithstanding Governor's veto:

Senate resolutions adopted: Nos. 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853

Senate resolutions killed: No. 1817

Senate concurrent resolutions adopted: Nos. 1602, 1605, 1606, 1608

Senate concurrent resolutions killed:

Senate concurrent resolutions adopted by House: Nos. 1602, 1605

Senate concurrent resolutions killed in House:

Senate concurrent resolutions in conference:

House bills passed in Senate: Nos. 2001, 2003, S Sub 2008, 2010, 2013, S Sub 2014, 2015, 2020, 2023, 2027, 2028, 2029, 2030, 2033, 2035, 2038, 2044, S Sub 2049, 2056, 2057, 2060, 2067, S Sub 2071, 2074, 2075, 2076, 2078, S Sub 2080, 2082, 2083, 2104, 2105, 2118, 2119, 2122, 2124, 2125, S Sub 2132, S Sub 2133, Sub 2134, Sub 2135, 2139, 2147, S Sub 2149, 2151, S Sub 2158, 2172, 2175, 2182, 2184, Sub 2191, 2192, S Sub 2194, 2195, 2205, 2218, 2227, 2240, S Sub 2251, 2258, S Sub 2267, Sub 2271, 2282, 2312, 2339, 2392

House bills killed in the Senate: No. 2006

House bills in conference: Nos. 2010, S Sub 2014, 2015, S Sub 2071, 2075, S Sub 2080, 2139, 2175, 2182, Sub 2191, S Sub 2194, S Sub 2267

House concurrent resolutions adopted by the Senate: Nos. 5001, 5002, 5003, 5009, 5014, 5021

House concurrent resolutions killed in the Senate:

House concurrent resolutions in conference:

Executive Reorganization Order approved: No. 34

Executive Reorganization Order disapproved: No. 39

Bills in Senate Committees

Agriculture--

Senate Bills: No. 148

House Bills:

Executive Reorganization Order: No. 40

Assessment and Taxation--

Senate Bills: Nos. H Sub 1 (referred), 86 (rereferred), 87 (rereferred), Sub 95 (referred), 98 (rereferred), 109 (rereferred), 197 (rereferred), 232

House Bills: Nos. 2117, 2157 (rereferred), Sub 2161

House Concurrent Resolutions: No. 5017

Commerce--

Senate Bills: Nos. 42 (rereferred)(separately), 110, 137 (rereferred), 140, 157 (rereferred), 171, 189, 219

House Bills: No. 2054 (referred)

Executive Reorganization Order: No. 37

Confirmation Oversight--

Senate Bills:

House Bills:

Education--

Senate Bills: Nos. 18 (rereferred), 19 (rereferred), 20 (rereferred), 22, 27, 32, 57, 68, 69, 70 (rereferred), 75 (rereferred), 144, 202 (rereferred), 228, 230

House Bills: Nos. Sub 2004 (rereferred), 2200 (rereferred), 2269

Ethics and Elections--

Senate Bills: Nos. 31 (rereferred), 66, 102 (rereferred), 130 (rereferred), 166, 168, 169, 172, 222, 242

House Bills: No. 2130 (referred)(separately)

Federal and State Affairs--

Senate Bills: Nos. H Sub 25 (referred), 26 (rereferred), 53, 82, 121 (referred), 149, 161, 162, 174, 181, 203, 204, 220 (referred), 237, 241, 246

Senate Concurrent Resolutions: Nos. 1601, 1607

House Bills: Nos. 2107, 2120, Sub 2178, Sub 2188, Sub 2229, Sub 2340, 2386

House Concurrent Resolutions: Nos. 5016, 5020

Appointments: *Racing and Gaming Commission, Executive Director:*

Rick Petersen-Klein, serves at the pleasure of the Governor

State Civil Service Board:

Phillis Setchell, to serve a four year term, expiring March 15, 2015

State Gaming Agency, Executive Director:

Mark Dodd, serves at the pleasure of the Governor

State Library, Librarian:

Joanne Budler, serves at the pleasure of the Governor

Financial Institutions and Insurance--

Senate Bills: Nos. 64, 71 (rereferred), 153, 167, 178 (rereferred), Sub 206 (rereferred), 226

House Bills: No. 2077 (rereferred)

Interstate Cooperation--

Senate Bills:

House Bills:

Judiciary--

Senate Bills: Nos. 39 (rereferred), 44, 47, 48, 73, 84, 94, 96, 105, 106, 107, 146 (rereferred), 158, 164, 165 (rereferred), 175, 217, 231, 239

Senate Concurrent Resolutions: Nos. 1603, 1604

House Bills: Nos. 2070, 2087, 2101, Sub 2318, 2329, 2371

House Concurrent Resolutions: No. 5007

KPERS Select--

Senate Bills: No. 49 (rereferred)

House Bills: No. Sub 2333

Local Government--

Senate Bills: Nos. 131 (rereferred), 163, 180, 194, 207, 244

House Bills: Nos. 2066, 2088, 2294

Natural Resources--

Senate Bills: Nos. 187 (rereferred), 200 (rereferred)

House Bills:

Executive Reorganization Order: No. 36 (corrected)

Organization, Calendar and Rules--

Senate Bills:

House Bills:

Public Health and Welfare--

Senate Bills: Nos. 4, 29, 88, 91, 99, 117, 132 (rereferred), 141, 184, 192, 195

House Bills: No. 2241 (rereferred)

Reapportionment--

Senate Bills:

House Bills:

Transportation--

Senate Bills: Nos. 151 (rereferred), 183, 218

House Bills: Nos. 2034 (rereferred), 2169 (rereferred), 2230 (rereferred)

Utilities--

Senate Bills: Nos. 30 (rereferred), 190

House Bills: Nos. 2141 (rereferred), 2390

House Concurrent Resolutions: Nos. 5022, 5023

Ways and Means--

Senate Bills: Nos. 2, 3, 16, 42 (rereferred)(separately), 78 (rereferred), 89, 113, Sub 147 (referred), 156, 173, 199, 205 (referred), 208, 209, 221, 233, 235, 236, 238, 240, 243, 245

House Bills: Nos. 2017 (referred), 2031 (referred), 2042 (referred), Sub 2069 (referred), 2128 (referred), 2140, 2196 (referred), Sub 2221, 2231, S Sub 2249 (referred), Sub 2296, 2336, 2357 (rereferred), 2374, 2382, 2383

Executive Reorganization Order: Nos. 35 (corrected), 38

Appointments: *Kansas Public Employees' Retirement Board of Trustees:*

Terry Matlack, to serve a four year term, expiring January 15, 2015

Senate Committee Agenda

The following is a tentative schedule of Senate Committees and is subject to change from day to day. Committees not listed have no meetings scheduled.

New or changed material for the present week will be printed in *italics*.

On Call Committees and Joint Committees will be listed at the end of the Agenda. Sub-Committees will be listed at the time of the Committee's regular meeting.

Persons who need assistance in order to take part in a committee meeting should contact the committee secretary at least two working days prior to the meeting.

2011
SENATE COMMITTEE MEETING SCHEDULE

TIME		MEETING ROOM
8:30 a.m.	Agriculture - Tuesday and Wednesday	159-S
	Commerce	548-S
	Natural Resources - Thursday and Friday	159-S
	Transportation - Tuesday through Friday	152-S
9:30 a.m.	Ethics & Elections - Wednesday and Thursday	159-S
	Financial Institutions and Insurance	152-S
	Judiciary	548-S
10:30 a.m.	Local Government - Monday and Tuesday	159-S
	Assessment and Taxation	152-S
	Federal and State Affairs	144-S
	Ways and Means	548-S
1:30 p.m.	Education	152-S
	Public Health & Welfare	546-S
	Utilities	548-S

Week of May 2 - 6

Wednesday, May 4

10:00 a.m. Session

2:00 p.m. - Reconvene - *General Orders/Emergency Final Action*

Thursday, May 5

Session, if necessary

Friday, May 6

Session, if necessary

Federal and State Affairs

10:30 a.m. **Connie Burns, Committee Assistant–296-4335** **144-S**

Wednesday, May 4 - **Note Time change: First Recess of Senate**

Discussion and possible action on:

SB 241--*Amendments to the Kansas expanded lottery act*

Discussion and possible action on Confirmation hearings previously heard:

Phillis Setchell, member, State Civil Service Board

Rick Petersen-Klein, Kansas Racing and Gaming Commission

Mark Dodd, State Gaming Agency

Joanne Budler, Kansas State Librarian, re-appointment

Ways and Means

10:30 a.m. **Jan Lunn, Committee Assistant–296-3775** **548-S**

Wednesday, May 4 - **Note Time: 11:00 a.m.**

Hearing and possible final action on:

SB 240--Abolishing the joint committee on information technology; creating the committee on technology oversight

Possible final action on any bill referred to Committee:

HB 2336--Kansas employment first initiative act; persons with disabilities

Thursday, May 5 - **Time to be announced**

Meeting on call of the Chair

Friday, May 6 - **Time to be announced**

Meeting on call of the Chair

Utilities

1:30 p.m. **Heather O'Hara, KLRD--296-7792** **548-S**

Wednesday, May 4 - **12:00 noon - Room 152-S**

Possible action on bills previously heard

Doctor of the Day

Telephone #296-7397 **Pager #231-3434** **540-E**

Wednesday, May 4

Jay Kennedy, MD, Lawrence (9:00 a.m. to 12:45 p.m.)

Thursday, May 5

Jay Kennedy, MD, Lawrence

Friday, May 6

Michael Engelken, MD, Topeka

Mona Gambone, Carol Kirkwood, *Calendar Clerks*

Pat Saville,

Secretary of the Senate

