

Journal of the Senate

THIRTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 29, 2012, 2:30 p.m.

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

Heavenly Father,

I'd like to pray a special prayer
For the ladies in the Senate.
Senator Meyers in eighty-two
Was the only woman in it.

They used to be called the weaker sex,
But I want to make it clear
Wherever the alleged weakness is,
It ain't between the ears!

A woman no longer has to prove
She's Kassebaum or Thatcher,
The question's not, "Can she keep up?"
But, "Can anybody catch her?"

So bless these ladies in the Senate:
Huntington and Kelly;
Kultala and Faust-Goudeau;
Pilcher-Cook and Schmidt,
Teichman and Francisco.
Schodorf and Lynn,
Wagle and McGinn.

Bless each one of them,
I know they understand
To represent their district well,
They don't have to be a man.

I pray in the name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

POINT OF PERSONAL PRIVILEGE

Senator Faust-Goudeau rose on a Point of Personal Privilege to introduce David Sanford, Chief Executive Officer and Venus Lee, Chief Operations Officer of Grace Med, a Health Ministry of the United Methodist Church Kansas West Conference.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 446, AN ACT concerning income taxation; relating to credits; restoration, preservation or operation of certain historic sties; amending K.S.A. 2011 Supp. 79-32,211a and repealing the existing section, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **HB 2730**.

Assessment and Taxation: **SB 445**.

Commerce: **HB 2637**.

Education: **HB 2430, HB 2435; Sub HB 2477**.

Ethics and Elections: **HB 2437**.

Judiciary: **HB 2533, HB 2534, HB 2562, HB 2621, HB 2647, HB 2737**.

Local Government: **HB 2666**.

Transportation: **HB 2417, HB 2509, HB 2557, HB 2599, HB 2614**.

Ways and Means: **SCR 1614; HB 2454**.

CHANGE OF REFERENCE

The President withdrew **SB 267, SB 309, SB 311; Sub SB 333; SB 352, SB 355, SB 371, SB 373; Sub SB 397** and **SB 421** from the Committee on **Ways and Means** and rereferred the bills to the calendar under the heading of General Orders.

The President withdrew **SB 308, SB 321, SB 359, SB 368** and **SB 396** from the Committee on **Ways and Means** and rereferred the bills to the Committee on **Judiciary**.

The President withdrew **SB 286** from the Committee on **Ways and Means** and referred the bill to the Committee on **Commerce**.

MESSAGE FROM THE GOVERNOR

February 24, 2012

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Order No. 12-02 for your information.

The President announced Executive Order No. 12-02, regarding regional emergencies/conditional and temporary relief from motor carrier rules and regulations, is on file in the office of the Secretary of the Senate and is available for review at any

time.

February 29, 2012

House Substitute for Senate Bill 191 approved on February 29, 2012.

COMMUNICATIONS FROM STATE OFFICERS

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

February 29, 2012

In compliance with the requirements of **Senate Substitute for HB 2160** passed in 2010, Mike Michael, Director, State Employee Health Benefit Plans Division of Health Care Finance, submitted the Kansas State Employees Health Care Commission Report on Insurance Coverage for the Autism Spectrum Disorder Pilot.

The President announced a compact disc is on file in the office of the Secretary of the Senate and may be reviewed at any time.

MESSAGE FROM THE HOUSE

Announcing passage of **Substitute HB 2106, Substitute HB 2159, Substitute HB 2166; HB 2313; Substitute HB 2427; HB 2558, HB 2596, HB 2597, HB 2604, HB 2605, HB 2618, HB 2619, HB 2624, HB 2626, HB 2627, HB 2629, HB 2638, HB 2646, HB 2649, HB 2650, HB 2655, HB 2668, HB 2669, HB 2670, HB 2672, HB 2673, HB 2675, HB 2676, HB 2677, HB 2682, HB 2683, HB 2684, HB 2687, HB 2703, HB 2704, HB 2705, HB 2706, HB 2715.**

Announcing that **SB 225, as amended by House Substitute for SB 225** was stricken from the calendar.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

Substitute HB 2106, Substitute HB 2159, Substitute HB 2166; HB 2313; Substitute HB 2427; HB 2558, HB 2596, HB 2597, HB 2604, HB 2605, HB 2618, HB 2619, HB 2624, HB 2626, HB 2627, HB 2629, HB 2638, HB 2646, HB 2649, HB 2650, HB 2655, HB 2668, HB 2669, HB 2670, HB 2672, HB 2673, HB 2675, HB 2676, HB 2677, HB 2682, HB 2683, HB 2684, HB 2687, HB 2703, HB 2704, HB 2705, HB 2706, HB 2715 were thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator V. Schmidt introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1826—

A RESOLUTION encouraging the creation of a Kansas plan for comprehensive treatment of chronic obstructive pulmonary disease.

WHEREAS, Chronic obstructive pulmonary disease (COPD) is a chronic disease of the lung which cannot be cured; and

WHEREAS, At least 24 million Americans have COPD and data suggest that as many as 12 million more Americans may have the symptoms of COPD but are undiagnosed; and

WHEREAS, COPD was the fourth leading cause of death in the year 2000 and is projected to be the third leading cause of death in the year 2010; and

WHEREAS, Costs attributed to COPD were projected to be \$49.9 billion in 2010; and

WHEREAS, Approximately 70% of individuals living with COPD are under age 65; and

WHEREAS, COPD is the second leading cause of disability; and

WHEREAS, Up to 70% of the costs of COPD are due to hospitalizations which can largely be prevented; and

WHEREAS, COPD is a leading cause of death in Kansas with as many as 146.5 persons admitted to the hospital for every 100,000 persons in Kansas; and

WHEREAS, The main causes of COPD are smoking, dust and chemicals in the air; and

WHEREAS, COPD is treatable and manageable; and

WHEREAS, It would behoove the state to develop and maintain a COPD prevention and education state plan: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the Kansas Department of Health and Environment create a comprehensive COPD prevention and education state plan which shall create and foster public awareness and increase knowledge concerning the causes of COPD, the importance of early diagnosis, effective prevention and disease management. Such plan shall outline sustainable solutions for reducing the burden of COPD in Kansas through the coordinated implementation of multiple strategies. These strategies shall include, without limitation, recommendations for:

(1) The prevention and early detection of COPD to reduce the incidence of the disease; and

(2) the treatment and management of COPD to ensure that health care providers offer state-of-the-art care, including increased access to nonpharmacologic therapies for COPD; and

(3) increasing public awareness, patient education and proper medical management of COPD among the general public and those living with COPD; and

(4) improving COPD outcomes in Kansas through increases in COPD funding and resources as well as ongoing effective advocacy by government leaders and people with COPD; and

Be it further resolved: That the Kansas Department of Health and Environment annually perform a COPD needs assessment; and

Be it further resolved: That the Kansas Department of Health and Environment hold an annual summit regarding COPD. Such summit shall be held in partnership with the state COPD coalition; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the Secretary of Health and Environment.

On emergency motion of Senator V. Schmidt **SR 1826** was adopted unanimously.

REPORT ON ENGROSSED BILLS

SB 301, SB 358, SB 387 reported correctly engrossed February 23, 2012.

SB 272, SB 277, SB 288, SB 345, SB 384; Sub SB 393; SB 419, reported correctly engrossed February 24, 2012.

Sub SB 39, Sub SB 64; SB 273; Sub SB 282, Sub SB 283; SB 287, SB 315, SB 326, SB 366, SB 372, SB 375, SB 407, SB 422; SR 1806 reported correctly engrossed February 28, 2012.

SB 304, SB 322, SB 357, SB 406, SB 424, SB 425 reported correctly engrossed February 29, 2012.

REPORT ON ENROLLED BILLS

SR 1822, SR 1823, SR 1824 reported correctly enrolled, properly signed and presented to the Secretary of State February 23, 2012.

SR 1805, SR 1825 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 24, 2012.

H Sub SB 191 reported correctly enrolled, properly signed and presented to the Governor on February 24, 2012.

H Sub SB 118 reported correctly enrolled, properly signed and presented to the Governor on February 29, 2012

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2484, HB 2569** be passed.

Also **HB 2535**, as amended by House Committee, be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m, Thursday, March 1, 2012.

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

PAT SAVILLE, *Secretary of the Senate.*

