

Journal of the Senate

TWENTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 16, 2011, 2:30 p.m.

The Senate was called to order by Vice President John Vratil.
The roll was called with thirty-seven senators present.
Senators Donovan, Emler and Morris were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

During the days ahead keep me from disappointing You.

I may be tempted
To tell a lie.
Remind me I'm not
That kind of guy.

I may be tempted
To yell at my spouse.
Remind me I may have
To leave the house.

I may be tempted
To exaggerate.
Remind me I'll have
A much deserved fate.

I may be tempted
To lose control.
Remind me I probably
Will lose sight of my goal.

Remind me, O God,
In learning to live
It's fun to get,
But better to give.

I pray in the Name of Jesus Christ, AMEN

The pledge of allegiance was led by Vice President John Vratil.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 208, AN ACT concerning capital improvement budget estimates; relating to program and facilities plans for public safety agencies; amending K.S.A. 2010 Supp. 75-3717b and repealing the existing section, by Committee on Ways and Means.

SB 209, AN ACT concerning the bioscience development and investment funds; relating to the centers of excellence and centers for innovation; creating funds; amending K.S.A. 2010 Supp. 74-99b34 and repealing the existing section, by Committee on Ways and Means.

SB 210, AN ACT providing for assessments on providers of home and community-based services developmental disability waiver program; prescribing powers, duties and functions for the Kansas health policy authority; creating the quality based community assessment fund; providing for implementation and administration, by Committee on Ways and Means.

SB 211, AN ACT concerning pharmacists; relating to dispensing prescriptions; amending K.S.A. 2010 Supp. 65-1637 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:

Financial Institutions & Insurance: **SB 206**.

Local Government: **SB 207**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2038**.

The House nonconcurrs in Senate amendments to **Senate Substitute for HB 2014**, requests a conference and has appointed Representatives Rhoades, Kelly and Feuerborn as conferees on the part of the House.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2038 was thereupon introduced and read by title.

ORIGINAL MOTIONS

On motion of Senator McGinn, the Senate acceded to the request of the House for a conference on **S Sub for HB 2014**.

The Vice President appointed Senators McGinn, Vratil, and Kelly as conferees on the part of the Senate.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 186** be amended on page 1, by striking all in lines 5 through 17; following line 17, by inserting the following:

"Section 1. K.S.A. 2010 Supp. 2-2450 is hereby amended to read as

follows: 2-2450. (a) If the surety bond, certificate of liability insurance, letter of credit or proof of an escrow account previously furnished by the licensee expires or is canceled or terminated, the secretary shall suspend without a hearing the pesticide business license until an acceptable substitute surety bond, letter of credit, proof of an escrow account or certificate establishing acceptable replacement of liability insurance is supplied.

(b) If the pesticide business fails to employ one or more commercial applicators certified in each category and subcategory in which the pesticide business makes commercial pesticide applications, the secretary ~~shall~~ may suspend, without a hearing, the pesticide business license for that category until the pesticide business employs a commercial applicator with the appropriate certification."

Also on page 1, in line 18, by striking "is" and inserting "and K.S.A. 2010 Supp. 2-2450 are";

In the title, on page 1, in line 2, by striking "2-2451", and inserting "2010 Supp. 2-2450"; also in line 2, after "section" by inserting "; also repealing K.S.A. 2-2451"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2033** be passed, and because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

REPORT ON ENGROSSED BILLS

SB 5, SB 12 reported correctly engrossed February 15, 2011.

On motion of Senator V. Schmidt the Senate adjourned until 2:30 p.m., Thursday, February 17, 2011.

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

PAT SAVILLE, *Secretary of the Senate.*

