

# Journal of the Senate

SEVENTEENTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Wednesday, January 31, 2001—2:30 p.m.

The Senate was called to order by President Dave Kerr.

The roll was called with forty senators present.

President Kerr introduced as guest chaplain, Rabbi Lawrence P. Karol, Temple Beth Sholom, Topeka, Kansas, who delivered the invocation:

Dear God,

At some time, we each ask ourselves what our place or purpose is in life. We wonder what difference it makes that we exist, what our role is in the larger scheme of things. We question whether it's worth the trouble to work hard at our lives, to learn all we can, to grow into the best person we can possibly be. The contribution we make compared to all our efforts may seem very small.

But all large, important things are made up of many small, seemingly insignificant parts. Every person is part of the world, of human history, of our planet and of the universe.

May we see beyond our differering faiths, backgrounds, and political philosophies to recognize that each of us has something to offer. May the very existence that we share unite us in common purpose despite difficulties and disagreements. And may we take each other's words and wisdom to heart as we seek together the welfare of our state, our nation and our world. And let us say Amen.

(First two paragraphs based on a prayer by Veronica Ray in *Graces*, by June Cotner).

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolutions were introduced and read by title:

**SB 171**, An act concerning the governor; relating to travel on state aircraft, by Senator Adkins.

**SB 172**, An act regulating traffic; concerning the use of child passenger safety seats and safety belts; amending K.S.A. 8-2503 and 8-2504 and K.S.A. 2000 Supp. 8-1343a, 8-1344 and 8-1345 and repealing the existing sections, by Committee on Judiciary.

**SB 173**, An act concerning divorce and separate maintenance; relating to grounds; amending K.S.A. 60-1601 and repealing the existing section, by Committee on Judiciary.

**SB 174**, An act concerning juvenile offenders; relating to detention; responsibility and payment of expenses; juvenile detention facilities fund; amending K.S.A. 38-1616 and 38-1671 and K.S.A. 2000 Supp. 79-4803 and repealing the existing sections, by Committee on Judiciary.

**SB 175**, An act concerning consumer protection; relating to certain remedies under the consumer protection act; amending K.S.A. 50-632 and repealing the existing section, by Committee on Judiciary.

**SB 176**, An act concerning corporations; relating to professional corporations; amending K.S.A. 2000 Supp. 17-2707 and repealing the existing section, by Committee on Judiciary.

**SB 177**, An act concerning certain electric generation facilities; relating to regulation and taxation thereof; amending K.S.A. 2000 Supp. 66-104 and 79-5a01 and repealing the existing sections, by Committee on Utilities.

**SB 178**, An act concerning reports of state agencies; amending K.S.A. 75-3048 and repealing the existing section, by Committee on Utilities.

**SB 179**, An act relating to property taxation; concerning the valuation of land devoted to agricultural use; amending K.S.A. 2000 Supp. 79-1476 and repealing the existing section, by Committee on Assessment and Taxation.

**SB 180**, An act repealing the Kansas performance review act; repealing K.S.A. 75-7101, 75-7102, 75-7103, 75-7104, 75-7105 and 75-7107, by Committee on Commerce.

**SB 181**, An act enacting the public adjusters licensing act, by Committee on Financial Institutions and Insurance.

**SB 182**, An act enacting the uniform prescription drug information card act, by Committee on Financial Institutions and Insurance.

**SB 183**, An act concerning the Kansas storage tank act; relating to funds; amending K.S.A. 2000 Supp. 65-34,123 and repealing the existing section, by Committee on Natural Resources.

**SB 184**, An act concerning natural resources; creating the natural resources damages trust fund, by Committee on Natural Resources.

**SB 185**, An act concerning credit scores; enacting the fair credit score disclosure act, by Committee on Financial Institutions and Insurance.

**SB 186**, An act concerning the behavioral sciences regulatory board; investigations and procedures conducted by the board; access to evidence; issuance of subpoenas; confidentiality of information; amending K.S.A. 74-7508 and repealing the existing section, by Committee on Public Health and Welfare.

**SB 187**, An act concerning physical therapy; relating to licensure; amending K.S.A. 40-2,111, 40-3401, 40-3403, 60-513d, 60-2609, 65-2901, 65-2904, 65-2905, 65-2907, 65-2908, 65-2909, 65-2910, 65-2912, 65-2914, 65-2915, 65-2918 and 65-4909 and K.S.A. 2000 Supp. 7-121b, 17-2707, 21-3721, 65-1501, 65-1902, 65-2891, 65-2906, 65-2913 and 65-5912 and repealing the existing sections, by Committee on Public Health and Welfare.

**SB 188**, An act providing for a Kansas exemplary schools recognition program, by Committee on Education.

**SB 189**, An act concerning school districts; authorizing establishment and maintenance of alternative teacher compensation plans; providing for grants of state moneys, by Committee on Education.

**SB 190**, An act relating to natural gas public utilities; concerning performance-based ratemaking mechanism; amending K.S.A. 2000 Supp. 66-117 and repealing the existing section, by Committee on Utilities.

**SB 191**, An act concerning school districts; providing for grants of state moneys to study teacher compensation plans for the purpose of developing alternative plans, by Committee on Education.

**SB 192**, An act concerning campaign finance; relating to district party committees; amending K.S.A. 25-4143 and repealing the existing section, by Committee on Elections and Local Government.

**SB 193**, An act concerning insurance agents; relating to required errors and omissions coverage; amending K.S.A. 40-241 and repealing the existing section, by Committee on Financial Institutions and Insurance.

**SB 194**, An act relating to pharmacy technicians; amending K.S.A. 2000 Supp. 65-1642 and repealing the existing section, by Committee on Public Health and Welfare.

**SB 195**, An act relating to child care records; concerning the confidentiality of information; amending K.S.A. 2000 Supp. 65-525 and repealing the existing section, by Committee on Public Health and Welfare.

## SENATE CONCURRENT RESOLUTION No. 1606—

By Committee on Utilities

A CONCURRENT RESOLUTION requesting all state agencies to lower the temperature setting in all state buildings to 66 degrees.

WHEREAS, The price paid for natural gas has increased substantially; and

WHEREAS, The taxpayers of Kansas not only have to pay their own heating bills, but are also responsible for paying the heating bills for the state of Kansas; and

WHEREAS, One of the suggestions presented to the citizens of Kansas for lowering their heating bills, is to lower the temperature setting on their thermostats; and

WHEREAS, If that suggestion is good for the citizens of Kansas, it makes perfect sense for the stewards of the citizen's tax dollars to follow suit: Now, therefore,

*Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein:* That all state agencies are requested to lower the temperature setting in all state buildings to 66 degrees during the time period the cold weather rule of the state corporation commission is in effect; and

*Be it further resolved:* That the Secretary of State be directed to send enrolled copies of this resolution to the chief administrative officer or governing board of each state agency having control or supervision of any state buildings or facilities.

## SENATE CONCURRENT RESOLUTION No. 1607—

By Committee on Utilities

A CONCURRENT RESOLUTION urging the United States government to establish a federal energy policy.

WHEREAS, The nation faces a growing shortage of domestic oil and the world may face petroleum shortages in the next fifty years; and

WHEREAS, Natural gas has risen dramatically in price because demand has increased faster than supplies are discovered; and

WHEREAS, Domestic consumers are faced with ever-increasing price spikes and lowered expectations of the market meeting the demand for energy; and

WHEREAS, The American association of petroleum geologists, in concert with other scientific professional learned societies, is convening in Washington, D.C., on April 23, 2001, to address the need for a national energy supply and to look for new sources of energy; and

WHEREAS, The United States does not have a public policy on energy: Now, therefore,

*Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein:* That the legislature of the state of Kansas encourages the development of a federal energy policy that considers all possible future sources of energy.

*Be it further resolved:* That the Secretary of State be directed to send enrolled copies of this resolution to the President of the United States; the Vice-President of the United States; Majority Leader and Minority Leader of the United States Senate; the Speaker, Majority Leader and Minority Leader of the United States House of Representatives; the Secretary of the United States Department of Energy; to each member of the Kansas Congressional Delegation; and to the American Association of Petroleum Geologists, P.O. Box 979, Tulsa, Oklahoma, 74101-0979.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to Committees as indicated:

Agriculture: **SB 162.**

Commerce: **SB 153, SB 154.**

Education: **SB 157, SB 158, SB 161, SB 163, SB 164, SB 165, SB 166, SB 167, SB 168.**

Federal and State Affairs: **SB 156.**

Financial Institutions & Insurance: **HB 2031, HB 2032.**

Judiciary: **SB 159.**

Public Health and Welfare: **SB 160.**

Transportation: **SB 155**.

Ways and Means: **SB 169, SB 170; HB 2016**.

#### CHANGE OF REFERENCE

The President withdrew **SB 48; HB 2035** from the Committee on Education, and referred the bills to the Committee on Commerce.

#### REFERRAL OF APPOINTMENTS

The following appointment made by the Attorney General and submitted to the senate for confirmation, was referred to Committee as indicated:

*Crime Victims Compensation Board*, Paula S. Salazar, reappointed for a term to expire March 15, 2005.

(Judiciary)

#### COMMUNICATIONS FROM STATE OFFICERS

##### DEPARTMENT OF CORRECTIONS

January 30, 2001

In accordance with the provisions of K.S.A. 60-4117, Charles E. Simmons, Secretary of Corrections, submitted the report of the Kansas Department of Corrections State Forfeiture Fund for the period of December 1, 1999 through December 1, 2000.

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 2001, HB 2033, HB 2036**.

#### INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

**HB 2001, HB 2033, HB 2036** were thereupon introduced and read by title.

#### CONFIRMATION OF APPOINTMENTS

In accordance with Senate Rule 56, the following appointments, submitted by the Governor to the senate for confirmation, were considered.

Senator Oleen moved the following appointments be confirmed as recommended by the Standing Senate Committees:

On the appointment to the:

*Kansas Department of Revenue, Secretary:*

Stephen S. Richards, serves at the pleasure of the Governor.

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

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelkamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The appointment was confirmed.

On the appointment to the:

*Kansas Lottery, Executive Director:*

Edwin A. Van Petten, serves at the pleasure of the Governor.

On roll call, the vote was: Yeas 37, Nays 1, Present and Passing 2, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Harrington, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

Nays: Hensley.  
Present and Passing: Barone, Haley.  
The appointment was confirmed.

## EXPLANATION OF VOTE

MR. PRESIDENT: I was concerned about some things happening at the Lottery. After asking some questions I feel assured what happened was in the past and I've been assured the problems can be corrected and my concerns will be addressed. I vote to confirm Edwin A Van Petten as Executive Director of the Kansas Lottery—U.L. GOOCH

**FINAL ACTION ON CONSENT CALENDAR**

**SB 32** having appeared on the Consent Calendar for the required two full legislative days without objection from any member, was considered on final action.

**SB 32**, An act concerning certain state agencies; relating to the Kansas governmental operations accountability law; amending K.S.A. 32-801, 74-2613, 74-5002f, 75-3702a, 75-4503, 75-5001, 75-5101, 75-5203, 75-5301, 75-5601, 75-5701 and 75-5903 and K.S.A. 2000 Supp. 2-1904 and 74-560 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: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huel-skamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed.

**FINAL ACTION OF BILLS AND CONCURRENT RESOLUTIONS**

**SB 41**, An act amending the Kansas estate tax act; concerning the expiration of inheritance tax liability; amending K.S.A. 2000 Supp. 79-15,119 and repealing the existing section, was considered on final action.

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

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huel-skamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed.

**SB 42**, An act relating to the liquor drink tax; concerning periods of limitations; amending K.S.A. 79-41a03 and repealing the existing section, was considered on final action.

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

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huel-skamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed.

**SB 43**, An act relating to appeals concerning food sales tax refunds; amending K.S.A. 79-3639 and repealing the existing section, was considered on final action.

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

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huel-skamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed.

**SB 45.** An act relating to income taxation; concerning periods of limitations; amending K.S.A. 2000 Supp. 79-3230 and repealing the existing section, was considered on final action.

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

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelkamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed.

**SB 52.** An act making and concerning appropriations for the fiscal years ending June 30, 2001, and June 30, 2002, for the legislative coordinating council; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing, was considered on final action.

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

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelkamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed.

#### INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Donovan and Gilstrap introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1813—

A RESOLUTION recognizing Catholic Schools Week.

WHEREAS, The Catholic schools in Kansas are nationally acclaimed for academic excellence and provide students more than a superior scholastic education; and

WHEREAS, Catholic schools ensure a broad, values-added education emphasizing the lifelong development of moral, intellectual, physical and social values in the young people of Kansas; and

WHEREAS, Catholic schools produce students strongly dedicated to their faith, values, families and communities by providing an intellectually stimulating environment rich in spiritual, character and moral development; and

WHEREAS, Catholic schools together with a strong public school system and a diverse network of other independent and religious schools give the citizens of Kansas unparalleled educational opportunities: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That in recognition of Catholic Schools Week, January 28-February 3, the Kansas Senate salutes the Catholic schools of Kansas and congratulates all Catholic school students, parents and teachers across Kansas for the role they play in promoting and ensuring a brighter, stronger future for this state and nation.

On emergency motion of Senator Donovan **SR 1813** was adopted unanimously.

#### REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 71** be amended on page 1, following line 13, by inserting:

“Section 1. As used in this section and sections 2 through 6, and amendments thereto:

(a) “Director” means the director of the division of facilities management.

(b) “Division” means the division of facilities management within the department of administration.

(c) “Memorial” means any permanent commemorative plaque, monument, sculpture, statuary, work of art or other object, structure or capital improvement project, but does not

include construction or maintenance of walkways or roadways or any landscaping, landscape gardening or other maintenance or development of the capitol grounds unless such project or activity is specifically for commemorative purposes.”;

By renumbering sections accordingly;

Also on page 1, in line 17, by striking “of architectural services”; in line 19, by striking “of architectural services”; in line 22, by striking “of architectural services”; in line 28, by striking “5” and inserting “6”; in line 34, by striking “of architectural services”;

On page 3, in line 1, by striking “of architectural services”; in line 3, before “may” by inserting “also”; in line 4, by striking “also”; in line 9, by striking “1” and inserting “2”;

On page 5, by striking all in lines 21 through 27; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 56** be passed.

Also **SB 53**, **SB 54** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

#### COMMITTEE OF THE WHOLE

On motion of Senator Oleen, the Senate resolved itself into Committee of the Whole for consideration of bills on the calendar under the heading of General Orders with Senator Vratil in the chair.

On motion of Senator Vratil the following report was adopted:

Recommended **SR 1808** be adopted.

**SB 1**, **SB 20** be amended by adoption of the committee amendments, and the bills be passed as amended.

**SB 29** be amended by adoption of the committee amendments.

Senator Huelskamp moved to amend **SB 29**, as amended by Senate Committee, on page 2, following line 43, by inserting:

“New Sec. 2. (a) As used in this section, “drug” means mifeprex, methotrexate or other medication used to induce an abortion or terminate a pregnancy.

(b) No public moneys shall be expended to purchase any drug intended to be used to induce an abortion or terminate a pregnancy.”;

By renumbering sections accordingly;

In the title, by striking all in lines 10, 11 and 12 and inserting:

“AN ACT concerning the expenditure of public moneys; concerning the use thereof for medical or health-related purposes; amending K.S.A. 38-2001 and repealing the existing section.”

A ruling of the chair was requested on the amendment. The chair ruled the amendment not to be germane to the bill.

The Committee recommended **SB 29**, as amended by adoption of the committee amendments, be passed as amended.

**SB 19** be amended by adoption of the committee amendments, be further amended by motion of Senator Praeger as amended by Senate Committee, on page 1, in line 13, after “insurer”, by inserting “and the state health care benefits program”; in line 14, after “insurer”, by inserting “or such program”, and **SB 19** be passed as further amended.

**SB 44** be amended by adoption of the committee amendments, be further amended by motion of Senator Lee as amended by Senate Committee, on page 3, in line 22, by striking “and” and inserting a comma; in line 24, before the period by inserting “and for payment of property tax refunds allowed pursuant to the provisions of K.S.A. 2000 Supp. 79-255, and amendments thereto”;

On page 5, after line 18, by inserting a new section to read as follows:

“Sec. 5. K.S.A. 2000 Supp. 79-255 is hereby amended to read as follows: 79-255. (a) For all taxable years commencing after December 31, 1999, and subject to the provisions of this section, there shall be allowed as a property tax refund to the operator of an oil lease an amount equal to 50% of the total amount of property tax levied and actually and timely paid by the operator for a property tax year which is attributable to the working interest of an oil lease the average daily production per well from which is 15 barrels or less when the price per barrel of oil is \$16 or less, as prescribed in the oil and gas appraisal guide by the director of property valuation for the applicable tax year. No refund shall be allowed for

property tax paid upon machinery and equipment for which a credit is claimed pursuant to K.S.A. 2000 Supp. 79-32,206 and amendments thereto.

(b) No claim for a refund allowable pursuant to subsection (a) shall be paid unless filed with and in possession of the department of revenue on or before April 15 of the year next succeeding the year in which such taxes were paid, except that the director of taxation may extend the time for filing any claim or accept a claim filed after the deadline for filing when good cause exists therefor if the claim has been filed within three years of the deadline.

(c) The allowable amount of such claim shall be paid to the operator from ~~funds appropriated for such purposes~~ *the income tax refund fund* upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or by any person designated by the claimant, but no warrant issued hereunder shall be drawn in an amount of less than \$5. No interest shall be allowed on any payment made to an operator pursuant to this section.

(d) Insofar as the same may be made applicable, the provisions of K.S.A. 79-3226, and amendments thereto, shall apply to claims for refunds allowable pursuant to this section which may become in dispute.

(e) The department of revenue shall devise and provide forms and instructions necessary to administer this section, and the secretary of revenue may adopt rules and regulations for such purpose.”;

Also, on page 5, in line 20, after “Supp.” by inserting “79-255 and”; in line 22, by striking “statute book” and inserting “Kansas register”;

By renumbering existing sections accordingly;

In the title, in line 10, by striking all after “ACT”; in line 11, by striking all before the semicolon and inserting “relating to property taxation; concerning the administration of certain refunds thereof”; in line 12, after “Supp” by inserting “. 79-255 and”, and **SB 44** be passed as further amended.

#### **FINAL ACTION OF BILLS AND CONCURRENT RESOLUTIONS**

On motion of Senator Oleen an emergency was declared by a  $\frac{2}{3}$  constitutional majority, and **SB 1, SB 19, SB 20, SB 29, SB 44; SR 1808** were advanced to Final Action and roll call.

**SB 1**, An act relating to sales taxation; concerning the taxation of certain services provided by telecommunications companies; amending K.S.A. 2000 Supp. 79-3603 and repealing the existing section.

On roll call, the vote was: Yeas 33, Nays 7, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Brungardt, Clark, Corbin, Donovan, Downey, Gilstrap, Gooch, Goodwin, Haley, Hensley, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Salmans, Schmidt, Schodorf, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

Nays: Brownlee, Emler, Feleciano, Harrington, Huelskamp, Pugh, Steineger.

The bill passed, as amended.

**SB 19**, An act concerning health insurance; relating to gynecological care.

On roll call, the vote was: Yeas 39, Nays 1, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

Nays: O'Connor.

The bill passed, as amended.

**SB 20**, An act concerning the charitable organizations and solicitations act; relating to bonds; violations of act, penalty; elder or disabled persons; amending K.S.A. 17-1764 and 17-1773 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: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed, as amended.

**SB 29**, An act relating to Kansas insurance coverage for children; concerning the six month waiting period; amending K.S.A. 38-2001 and repealing the existing section.

On roll call, the vote was: Yeas 37, Nays 3, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Huelskamp, O'Connor, Tyson.

The bill passed, as amended.

**SB 44**, An act relating to property taxation; concerning the administration of certain refunds thereof; amending K.S.A. 79-32,105, 79-4501 and 79-4521 and K.S.A. 2000 Supp. 79-255 and 79-4504 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: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed, as amended.

**SR 1808**, A resolution urging the State Corporation Commission to order certain refunds to be paid to certain residential natural gas customers.

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

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The resolution was adopted.

#### EXPLANATION OF VOTE

MR. PRESIDENT: Policy by resolution is a very poor way to make public policy. However, recognizing the critical nature of this problem, I reluctantly vote Yes on **SR 1808**.—Tim Huelskamp

On motion of Senator Oleen the Senate adjourned until 2:30 p.m., Thursday, February 1, 2001.

HELEN A. MORELAND, *Journal Clerk*.

PAT SAVILLE, *Secretary of Senate*.

