

# Journal of the Senate

## SECOND DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Tuesday, January 14, 2003—2:30 p.m.

The Senate was called to order by President Dave Kerr.  
The roll was called with thirty-nine senators present.  
Senator Taddiken was excused.

President Kerr announced that Chaplain Hollomon has received the endorsement of the Chaplains Commission of the Southern Baptist Convention to serve as Chaplain in the Kansas Senate.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Five new state wide elected officials have taken office: a new Governor, a new Lt. Governor, a new Attorney General, a new Insurance Commissioner and a new Treasurer.

I am assuming all of them welcome our prayers for a successful administration. While it is true that each one of them ran on a party platform, once they are elected they are expected to serve all the citizens of Kansas.

I pray that You will give all of them a smooth transition into their new offices.

May they be sensitive to the principles of the Constitution;

dedicated to the integrity of the office;

conscious of the expectations of the electorate;

and wise in their many decisions which should conform to Your will.

And don't let them forget, O God, ". . . there is no authority except which God has established. The authorities that exist have been established by God." (Romans 13:1)

I pray in the Name of Christ,

AMEN

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**SB 12**, An act concerning retirement and pensions; relating to the Kansas public employees retirement system; board of trustees; appointment of officers and employees thereby; amending K.S.A. 74-4908 and repealing the existing section, by Joint Committee on Pensions, Investments and Benefits.

**SB 13**, An act concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; benefits; purchase of service credit; amending K.S.A. 74-4902, 74-4918, 74-4963, 74-4963a, 74-4964 and 74-4964a and K.S.A. 2002 Supp. 20-2610a and repealing the existing sections, by Joint Committee on Pensions, Investments and Benefits.

**SB 14**, An act concerning providers of care services; employment of persons by such providers; amending K.S.A. 65-5117 and K.S.A. 2002 Supp. 39-970 and repealing the existing sections, by Committee on Judiciary.

**SB 15**, An act concerning the residential landlord and tenant act; notice of termination of tenancy; amending K.S.A. 58-2570 and repealing the existing section, by Committee on Judiciary.

**SB 16**, An act concerning drivers' licenses and other identification cards; relating to application requirements; photograph fees; amending K.S.A. 8-240, 8-243 and 8-1324 and repealing the existing sections, by Committee on Judiciary.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to Committees as indicated:

Assessment and Taxation: **SB 1**.

Education: **SB 5, SB 7; SCR 1601**.

Federal and State Affairs: **SB 2**.

Judiciary: **SB 3, SB 9, SB 11**.

Ways and Means: **SB 4, SB 6, SB 8, SB 10**.

#### MESSAGE FROM THE GOVERNOR

January 13, 2003

Bill Graves, Governor, submitted a report of pardons to the Legislature pursuant to K.S.A. 22-3703. For calendar year 2002, no pardons or clemencies were granted. A total of 19 applications for pardon or clemency was denied.

#### COMMUNICATIONS FROM STATE OFFICERS

##### DEPARTMENT OF ADMINISTRATION

Division of Accounts and Reports

January 10, 2003

Dale Brunton, Director, Division of Accounts and Reports, submitted a copy of the State of Kansas *Comprehensive Annual Financial Report* for the fiscal year ending June 30, 2002.

##### KANSAS DEPARTMENT OF TRANSPORTATION

January 10, 2003

E. Dean Carlson, Secretary of Transportation, in compliance with the requirements found in K.S.A. Supp. 68-2315 as amended, submitted the annual report regarding the Kansas Department of Transportation's (KDOT) historical highway program accomplishments and its future financial strategy. Also submitted was a report concerning KDOT's system of inventory of records pertaining to all real property owned by the Department and real estate transactions as per K.S.A. 75-3516(d).

##### KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT

January 13, 2003

Ronald F. Hammerschmidt, Ph.D., Director, Division of Environment, submitted reports to the Governor and various members of the legislature. The following reports were transmitted:

Kansas Public Water Supply Loan Fund SFY 2002 Annual Report

Kansas Water Pollution Control Revolving Fund SFY 2002 Annual Report

Household Hazardous Waste Program SFY 2002 Report

Kansas Solid Waste Program, A Review of Program and Revenue Expenditures in FY 2002.

##### KANSAS CORPORATION COMMISSION

CONSERVATION DIVISION

January 13, 2003

M.L. Korphage, Director, submitted the Abandoned Oil & Gas Well Status Report.

##### KANSAS CORPORATION COMMISSION

CONSERVATION DIVISION

January 13, 2003

M.L. Korphage, Director, submitted the Remediation Site Status Report.

## KANSAS INSURANCE DEPARTMENT

January 13, 2003

Sandy Praeger, Commissioner of Insurance, pursuant to the provisions of K.S.A. 40-2249a, submitted a report indicating the impact of providing mental illness benefits.

## KANSAS GEOLOGICAL SURVEY

January 13, 2003

M. Lee Allison, State Geologist and Director and Chair, State Energy Resources Coordination Council, submitted the 2003 Kansas Energy Report, as required by Executive Order 2002-4.

## CREDIT SCORING TASK FORCE

January 13, 2003

Michael C. McGrew, Chair, Credit Scoring Task Force, pursuant to 2002 Senate Concurrent Resolution 1623, submitted a report on the Credit Scoring Task Force.

## KANSAS PAROLE BOARD

Marilyn Scafe, Chair, Kansas Parole Board, pursuant to the provisions of K.S.A. 22-3710, submitted the Annual Report of the Kansas Parole Board for Fiscal Year 2002.

The President announced the above reports are on file in the office of the Secretary of the Senate and are available for review at any time.

**MESSAGE FROM THE HOUSE**

Announcing adoption of **HR 6001**, a resolution relating to the organization of the House of Representatives.

*Be it resolved by the House of Representatives of the State of Kansas:*

That the chief clerk of the House of Representatives notify the senate that the House is organized with the following officers.

Doug Mays, Speaker  
John Ballou, Speaker pro tem  
Clay Aurand, Majority Leader  
Dennis McKinney, Minority Leader  
Janet E. Jones, Chief Clerk

Wayne Owen, Sergeant-at-Arms, and awaits the pleasure of the senate.

Also, announcing adoption of **SCR 1602**, a concurrent resolution relating to a committee to wait upon the Governor and advise her the 2003 session of the legislature is organized and ready to receive communications, and the appointment of Representatives Holmes, Pottorff and Minor as members of the committee to wait upon the governor.

Announcing adoption of **HCR 5002**, a concurrent resolution for a joint session of the Senate and House for the purpose of hearing a message from the governor.

**INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS**

**HCR 5002**, a concurrent resolution providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor, was thereupon introduced and read by title.

On emergency motion of Senator Oleen, **HCR 5002** was adopted by voice vote.

In compliance with **HCR 5002**, the President appointed Senator Umbarger and Senator Feleciano to escort the Governor; Senator Pugh and Senator Goodwin to escort the Lt. Governor; and Senator Donovan and Senator Steineger to escort the Supreme Court.

On motion of Senator Oleen the Senate adjourned until 2:30 p.m., Wednesday, January 15, 2003.

HELEN A. MORELAND, *Journal Clerk.*

PAT SAVILLE, *Secretary of Senate.*

