

Journal of the Senate

NINETEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, February 7, 2003—9:30 a.m.

The Senate was called to order by President Dave Kerr.

The roll was called with thirty-one senators present.

Senators Allen, Brungardt, Corbin, Feleciano, Hensley, Lyon, Salmans, Steineger and Wagle were excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Those of us who've yielded
To more than one temptation
Can discover in the Bible
A lot of inspiration.

Many Bible characters
Who are considered great
We would think that God
Could hardly tolerate.

Abraham, whose lies,
Made him a deceiver,
Nevertheless became
The Father of all Believers.
When You called Moses, Lord,
He tried hard to withdraw,
But ultimately became
The Giver of the Law.

David sinned so many times
They were off the chart,
But he was called a man
After God's own heart.

Three times Simon Peter
You, O God, forsook,
But in the Bible we now find
Peter wrote two books!

Saul of Tarsus persecuted
Every Christian whom he found,
But became the Apostle Paul
And turned the world upside down!

So if there are those who start to think
They are losers, never winners;
Remind them, Lord, You specialize
In making saints out of sinners!

I pray in the Name of Christ

AMEN

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 170, An act concerning taxation; relating to withholding tax; withholding on payments of management or consulting fees to nonresidents; amending K.S.A. 2002 Supp. 79-3295 and 79-32,100a and repealing the existing sections, by Committee on Ways and Means.

SB 171, An act concerning crimes, criminal procedure and punishment; relating to theft; amending K.S.A. 2002 Supp. 21-3701 and repealing the existing section, by Committee on Judiciary.

SB 172, An act concerning elections; relating to changing the date of primary elections from April to August; amending K.S.A. 25-1115, 25-2006, 25-2007, 25-2010, 25-2018, 25-2023, 25-2102, 25-2107, 25-2108a, 25-2109, 25-2120, 25-2311, 25-2502, 25-3503 and 25-3901 and K.S.A. 2002 Supp. 25-1122 and repealing the existing sections, by Senator Bunten.

SB 173, An act concerning unclaimed property; relating to demutualization of insurance companies; amending K.S.A. 2002 Supp. 58-3935 and 58-3950 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 174, An act relating to insurance agents and brokers; relating to continuing education credits; amending K.S.A. 2002 Supp. 40-4903 and repealing the existing section, by Committee on Financial Institutions and Insurance.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 161, SB 162, SB 163, SB 169.**

Education: **SB 168.**

Elections and Local Government: **SB 166, SB 167.**

Financial Institutions & Insurance: **SB 160, SB 165.**

Judiciary: **SB 158.**

Public Health and Welfare: **SB 164.**

Transportation: **SB 159.**

MESSAGE FROM THE GOVERNOR

February 6, 2003

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Order No. 2003-02 for your information.

KATHLEEN SEBELIUS

Governor

The Executive Order 03-02 regards:

1. Suspend printing, publication and distribution of the State of Kansas Communication Services Directory until further order;
2. Ensure that all information contained in the Directory remains available, including a list of agencies in printable format, on the State's website; and
3. Notify all State agencies of the suspension of the printing, publication and distribution of the Directory and how the information will be made available through the State's website.

February 6, 2003

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Order No. 2003-03 for your information.

KATHLEEN SEBELIUS

Governor

The Executive Order 03-03 regards:

1. Terminate any policies, procedures or practices of permitting state employees from using the Kans-A-N network for personal long distance telephone calls; and

2. Terminate any policies, procedures or practices permitting the distribution of agency telephone bills and the collection of individual reimbursement checks by employees for individual personal long distance telephone calls.

The President announced Executive Order Nos. 03-02 and 03-03 are on file in the office of the Secretary of the Senate and are available for review at anytime.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Clark, Gooch and Haley introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1809—

A RESOLUTION congratulating and commending Ora T. Switzer.

WHEREAS, Ora Switzer, of Nicodemus, will be 100 years old on February 24, 2003. Her family, friends and neighbors are gathering for a gala event in Nicodemus on Saturday, February 22, 2003, to wish her a happy 100th birthday; and

WHEREAS, During her long life Ora Switzer has been a wife, mother and homemaker, has established a reputation as a great cook both in Nicodemus and Topeka, has been a faithful member of and secretary for the First Baptist Church in Nicodemus and has served as a delegate to the Kansas Silver Haired Legislature; and

WHEREAS, Ora Switzer was married to Fred Switzer for over 60 years; he died in 1993. They are the parents of six children: Freddie, Lorene, Lee Evertt, Avalon, Harold and Veryl. Ora Switzer additionally has been blessed with 20 grandchildren, 40 great grandchildren and 30 great-great grandchildren; and

WHEREAS, The exploits of her youngest son, Veryl, as a football legend at Kansas State University have made the name "Switzer" known to many Kansans; Ora Switzer has the greater distinction of being a Switzer living in Nicodemus, the proud, storied western Kansas town established by black sodbuster pioneers: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Ora T. Switzer upon completion of 100 years on this earth and wish her many happy more; and

Be it further resolved: That the Secretary of the Senate be directed to provide seven enrolled copies of this resolution to Mrs. Fred Switzer, Nicodemus Villa, Apartment 5B, Bogue, KS 67625.

On emergency motion of Senator Clark **SR 1809** was adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on **Elections and Local Government** recommends **SB 40** be amended on page 1, in line 43, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

On motion of Senator Oleen the Senate adjourned until 2:30 p.m., Monday, February 10, 2003.

HELEN MORELAND, CAROL PARRETT, BRENDA KLING, *Journal Clerks.*

PAT SAVILLE, *Secretary of the Senate.*

