

Journal of the Senate

TWENTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 19, 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 Downey was excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Today five survivors of the bloody victory on Iwo Jima will attend a ceremony honoring Topeka High School graduates who landed on that tiny, but strategic island fifty-eight years ago today.

Thirty-five days later almost all of the 21,000 enemy troops were annihilated at the cost of 5400 dead and 17,400 wounded American troops.

This event brings to mind the honor due to all Americans who gave their lives and those who returned home disabled from all the wars our country has endured.

It also reminds us of the duty and privilege we have to pray for the military men and women being deployed to Kuwait and other foreign locations. Probably all of us either have relatives or know someone involved in this huge deployment.

We all have a stake in what occurs in this confrontation. We beseech You, O God, to protect those who are ready to fight for the freedom and security our country and the world so desperately needs.

Remind us once more, that You, Lord, are the ultimate Power in charge, and so we humbly pray for Your will to be done on earth as it is in heaven.

I pray in the Name of Christ,

Amen

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

SB 240, An act repealing K.S.A. 48-323; concerning the adjutant general; relating to insurance coverage for armories, by Committee on Ways and Means.

SB 241, An act concerning agriculture; enacting the agricultural opportunities and value-added partnerships act, by Committee on Ways and Means.

SB 242, An act concerning the developmental disabilities reform act; relating to intake and service referral functions and treatment and care service functions; amending K.S.A. 39-1801, 39-1803, 39-1804, 39-1805 and 39-1806 and repealing the existing sections, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Judiciary: **HB 2089**, **HB 2090**.

POINT OF PERSONAL PRIVILEGE

Senator Barone rose on a Point of Personal Privilege to note that Governor Kathleen Sebelius had proclaimed Wednesday, February 19, 2003, as Pittsburgh State University

Centennial Celebration Day in Kansas in recognition of the university's 100 years of outstanding service to higher education and the people of Kansas.

President Kerr recognized as guests from the University, Dr. Mary Carol Pomatto, PSU Legislative Liaison; Ms. Janelle Huppe, Student Government Association President; Dr. Ellen Carson, Faculty Senate President; Ms. Kathy Benard, Classified Employee Senate President; and Major General (Retired) Jack Strukel, Topeka Alumni member.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2045, HB 2106, HB 2120, HB 2155, HB 2165; Substitute HB 2219; HB 2224.**

Also, passage of **SB 8.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2045, HB 2106, HB 2120, HB 2155, HB 2165; Substitute HB 2219; HB 2224 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:

Secretary of Health and Environment:

Roderick Bremby, serves at the pleasure of the Governor.

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

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

Absent or Not Voting: Downey.

The appointment was confirmed.

On the appointment to the:

Secretary of Social and Rehabilitation Services:

Janet Schalansky, serves at the pleasure of the Governor.

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

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

Absent or Not Voting: Downey.

The appointment was confirmed.

On the appointment to the:

Secretary of Wildlife and Parks:

J. Michael Hayden, serves at the pleasure of the Governor.

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

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

Absent or Not Voting: Downey.

The appointment was confirmed.

FINAL ACTION ON CONSENT CALENDAR

SB 109 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, was considered on final action.

SB 109, An act concerning certain counties; relating to donation of land for cemetery purposes; amending K.S.A. 19-3101 and repealing the existing section.

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

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

Absent or Not Voting: Downey.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

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, was considered on final action.

On roll call, the vote was: Yeas 38, Nays 1, Present and Passing 0, Absent or Not Voting 1.

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

Nays: Haley.

Absent or Not Voting: Downey.

The bill passed, as amended.

SB 35, An act concerning crimes, criminal procedure and punishment; creating certain crimes involving use and possession of body armor and prescribing penalties therefor, was considered on final action.

On roll call, the vote was: Yeas 31, Nays 8, Present and Passing 0, Absent or Not Voting 1.

Yeas: Adkins, Allen, Barnett, Barone, Buhler, Bunten, Clark, Donovan, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Harrington, Hensley, Jackson, Jordan, Kerr, Lee, Morris, O'Connor, Oleen, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil.

Nays: Brownlee, Brungardt, Corbin, Haley, Huelskamp, Lyon, Pugh, Wagle.

Absent or Not Voting: Downey.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: **SB 35** in its current form is the epitome of junk legislation; addressing an "issue" which is practically non-existent in Kansas. Opportunities to amend **SB 35** with substantive law that Kansans really *do* care about (such as presumptive imprisonment for "hate" crimes and not *criminally* prosecuting people for speaking or printing damaging rumors or lies) fell on the deaf ears of an unresponsive majority. And the result is a naked **SB 35**; the most useless SPAM bill so far of the 2003 session.—DAVID HALEY

SB 57, An act concerning school districts; relating to the powers and duties of the governing bodies thereof; amending K.S.A. 72-8205 and repealing the existing section, was considered on final action.

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

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

Absent or Not Voting: Downey.

The bill passed, as amended.

SB 82. An act concerning school districts; relating to the powers and duties of the board of education; amending K.S.A. 72-1623, 72-1623a, 72-9003 and 72-9006 and repealing the existing sections; also repealing K.S.A. 72-124a, 72-1626, 72-1626a, 72-6734, 72-6735, 72-8110 through 72-8114, 72-8116, 72-8118, 72-8118a, 72-8119 through 72-8122, 72-8124, 72-8125, 72-8126, 72-8129 through 72-8136, 72-8137, 72-8138, 72-8139, 72-8141 through 72-8144, 72-8144a, 72-8144b, 72-8144c, 72-8146, 72-8150 through 72-8154, 72-8156, 72-8158 through 72-8163, 72-8176 through 72-8183 and 72-9901 through 72-9907; relating to school districts, was considered on final action.

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

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

Absent or Not Voting: Downey.

The bill passed, as amended.

SB 95. An act concerning elections; relating to names of political parties; amending K.S.A. 25-304 and K.S.A. 2002 Supp. 25-302a and repealing the existing sections; also repealing K.S.A. 25-116 and 25-117, was considered on final action.

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

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

Absent or Not Voting: Downey.

The bill passed.

SB 159. An act relating to the division of vehicles; concerning drivers' licenses and identification cards; amending K.S.A. 8-243 and 8-1329 and repealing the existing sections, was considered on final action.

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

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

Absent or Not Voting: Downey.

The bill passed.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Lyon introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1816—

A RESOLUTION congratulating and commending the Tonganoxie debaters and coaches on their outstanding success.

WHEREAS, The Tonganoxie debaters in January 17-18 regional competition were undefeated in a total of 12 rounds; and

WHEREAS, The Tonganoxie debaters were victorious in a competition against 40 schools, winning 37 rounds; and

WHEREAS, The Tonganoxie debaters did so well that they did not have to compete in the final round in that competition; and

WHEREAS, The Tonganoxie debaters have been complimented on their presentation, voice, diction and confidence as speakers; and

WHEREAS, The Tonganoxie debaters and their coach, Steve Harrell, and his assistant, Dave Mitchell, often work from 3 p.m. to 10:30 p.m. to prepare for competition; and

WHEREAS, The Tonganoxie debaters work as a team sharing their work and motivation and collaborating with one another; and

WHEREAS, The Tonganoxie debaters and their coach and coaching assistant seem to have the winning formula; and

WHEREAS, That winning formula brought the Tonganoxie debaters to their crowning achievement, winning this year's state championship: Now, therefore,

Be it resolved by the Senate of the State of Kansas: We congratulate and commend the Tonganoxie debating team and their coach and coaching assistant for their hard work, dedication and perseverance to become an outstanding success; and

Be it further resolved: That the Secretary of the Senate be directed to provide 16 enrolled copies of this resolution to Senator Lyon.

On emergency motion of Senator Lyon **SR 1816** was adopted unanimously.

Senator Lyon introduced members of the debate team, Andrew Becker, Heather Harrison, Megan Needham, Caleb Poterbin, Paul Reetz, John Wickey, Kelly Woelk and Heather Young; team coach, Steve Harrell; and assistant coach, Dave Mitchell.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 135** be passed.

Committee on **Commerce** recommends **SB 133** be amended on page 1, in line 32, by striking "Each" and inserting: "In order to further the purpose of subsection (a), each"; in line 33, by striking ", insurance carrier and vocational rehabilitation provider" and inserting "and insurance carrier"; in line 35, by striking all after "act"; by striking all in lines 36 through 40; in line 41, by striking all before the period;

On page 2, in line 5, by striking "Each" and inserting the following:

"(c) Each";

And by relettering subsections accordingly;

Also on page 2, in line 6, by striking all after "carrier"; in line 7, by striking all before "or"; in line 10, by striking all after the period; by striking all in lines 11 through 13; in line 25, by striking ", insurance carrier or vocational rehabilitation provider" and inserting "or insurance carrier"; and the bill be passed as amended.

Committee on **Education** recommends **SB 22** be amended on page 1, by striking all in lines 14 through 43;

On page 2, by striking all in lines 1 through 43;

On page 3, by striking all in lines 1 through 33 and inserting:

"Section 1. K.S.A. 72-8801 is hereby amended to read as follows: 72-8801. (a) The board of education of any school district may make an annual tax levy at a mill rate not to exceed the statutorily prescribed mill rate for ~~a period of not to exceed five years upon the taxable tangible property in the school district for the purposes specified in this act~~ *the purpose of providing revenue for the capital outlay fund to finance expenditures authorized by K.S.A. 72-8804, and amendments thereto*, and for the purpose of paying a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district. No *such* levy shall be made ~~under this act~~ until a resolution is adopted by the board of education in the following form:

Unified School District No. _____,

_____ County, Kansas.

RESOLUTION

Be It Resolved that:

The above-named school board shall be authorized to make an annual tax levy ~~for a period not to exceed _____ years~~ in an amount not to exceed _____ mills upon the taxable tangible property in the school district for the purpose of ~~acquisition, construction, reconstruction, repair, remodeling, additions to, furnishing and equipping of buildings necessary for school district purposes, including housing and boarding pupils enrolled in an area vocational school operated under the board, architectural expenses incidental thereto, the acquisition of building sites, the undertaking and maintenance of asbestos control projects, the acquisition of school buses and the acquisition of other equipment~~ _____ and for the purpose of paying a portion of the principal and interest on bonds issued by

cities under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district. The tax levy authorized by this resolution may be made; unless a petition in opposition to the same, signed by not less than 10% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 40 days after the last publication of this resolution. ~~In the event~~ If a *valid* petition is filed, the county election officer shall submit the question of whether the tax levy shall be authorized to the electors in the school district at an election called for ~~the such~~ purpose or at the next general election, as is specified by the board of education of the above school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of Unified School District No. _____, _____ County, Kansas, on the _____ day of _____, 19 _____.

Clerk of the above board of education.

All of the blanks in the above resolution shall be appropriately filled. ~~The blank preceding the word "years" shall be filled with a specific number, and the blank preceding the word "mills" shall be filled with a specific number, and no word shall be inserted in either of the blanks.~~ The resolution shall be published *at least* once a week for two consecutive weeks in a newspaper having general circulation in the school district. If no petition as specified above is filed in accordance with the provisions of the resolution, the board of education may make the tax levy specified in the resolution. If a *valid* petition is filed as provided in the resolution, the board of education may notify the county election officer of the date of an election to be held to submit the question of whether the tax levy shall be authorized. If the board of education fails to notify the county election officer within 60 days after a petition is filed, the resolution shall be deemed abandoned and no like resolution shall be adopted by the board of education within the nine months following the first publication of the resolution.

(b) As used in ~~this act~~ K.S.A. 72-8801 *et seq.*, and amendments thereto:

(1) "Unconditionally authorized to make a capital outlay tax levy" means that the school district has adopted a resolution under this section, has published the same, and either that the resolution was not protested or that it was protested and an election has been held by which the tax levy specified in the resolution was approved;

(2) "Statutorily prescribed mill rate" means four mills or the mill rate necessary to produce the same amount of money that would have been produced by a levy of four mills in the 1988-89 school year; *The provisions of this paragraph shall be subject to K.S.A. 2002 Supp. 79-5040, and amendments thereto.*

(3) "Asbestos control project" means any activity which is necessary or incidental to the control of asbestos-containing material in buildings of school districts and includes, but not by way of limitation, any activity undertaken for the removal or encapsulation of asbestos-containing material, for any remodeling, renovation, replacement, rehabilitation or other restoration necessitated by such removal or encapsulation, for conducting inspections, re-inspections and periodic surveillance of buildings, performing response actions, and developing, implementing and updating operations and maintenance programs and management plans;

(4) "Asbestos" means the asbestiform varieties of chrysotile (serpentine), crocidolite (riebeckite), amosite (cummingtonitegrunerite), anthophyllite, tremolite, and actinolite; ~~and~~

(5) "Asbestos-containing material" means any material or product which contains more than 1% asbestos.

(6) "Utility services" means utility services provided to school facilities including, but not limited to, gas, electric, water, telephone, sewage and solid waste disposal.

(7) "Insurance" means property, fire, casualty and liability insurance.

Sec. 2. K.S.A. 72-8804 is hereby amended to read as follows: 72-8804. (a) *If the resolution adopted under K.S.A. 72-8801, and amendments thereto, so specified*, any moneys in the capital outlay fund of any school district and any moneys received from issuance of bonds under K.S.A. 72-8805 or 72-8810, and amendments thereto, may be used for ~~the purpose of~~

(1) The acquisition, construction, reconstruction, repair, remodeling, additions to, furnishing and equipping of buildings necessary for school district purposes, including housing and boarding pupils enrolled in an area vocational school operated under the board of education; *and* architectural expenses incidental thereto;

(2) The acquisition of building sites;

(3) The undertaking and maintenance of asbestos control projects;

(4) The acquisition of school buses ~~and~~

(5) *The acquisition of computers, computer software and other technology expenses.*

(6) The acquisition of other equipment.

(7) *Cost of utility services.*

(8) *Insurance premiums.*

(b) The board of education of any school district ~~is hereby authorized to~~ *may* invest any portion of the capital outlay fund of the school district which is not currently needed in investments authorized by K.S.A. 12-1675, and amendments thereto, in the manner prescribed therein or may invest the same in direct obligations of the United States government maturing or redeemable at par and accrued interest within three years from date of purchase, the principal and interest whereof is guaranteed by the government of the United States. All interest received on any such investment shall ~~upon receipt thereof~~ be credited to the capital outlay fund.

Sec. 3. K.S.A. 72-8805 is hereby amended to read as follows: 72-8805. Any school district which is unconditionally authorized to make a capital outlay tax levy, in lieu of making all or part of such tax levy, may issue and sell general obligation bonds as now provided by law for the issuance of general obligation bonds for buildings necessary for school district purposes, including housing and boarding pupils enrolled in an area vocational school operated under the board of education of the school district, ~~except that such bonds shall be issued to mature in not more than five years and~~ except that no election shall be required. ~~In the event that~~ *If* bonds are issued under authority of this section, the amount of the bonds which may be issued shall be determined as follows:

(a) Subject to the provisions of subsection (b), the amount of the bonds shall not exceed the amount of the product which results from multiplying the statutorily prescribed mill rate ~~times five~~ times the assessed valuation of the taxable tangible property in the school district at the time the bonds are issued, less the sum of all amounts specified in subsections (c), (d) and (e) of this section.

(b) If the resolution adopted under K.S.A. 72-8801, and amendments thereto, specified a lesser mill rate than the statutorily prescribed mill rate ~~or a lesser number of years than five~~, the ~~respective multipliers~~ *multiplier* specified in subsection (a) of this section shall be reduced accordingly.

(c) The amount of bonds shall be reduced by all amounts which have been or will be received by the school district from any tax levy made under authority of K.S.A. 72-8801, and amendments thereto, before such bonds are issued.

(d) The amount of bonds shall be reduced by the estimated amount of interest to be paid on the bonds.

(e) The amount of bonds shall be reduced by an amount equal to the amount of unpaid principal on bonds which have theretofore been issued under this section.

Sec. 4. K.S.A. 72-8808 is hereby amended to read as follows: 72-8808. ~~Whenever an initial resolution has been adopted under K.S.A. 72-8801, and amendments thereto, and such resolution specified a lesser mill rate than the statutorily prescribed mill rate or a lesser number of years than five, the board of education of the school district may adopt a second resolution under the same procedure as is provided in K.S.A. 72-8801, and amendments thereto, for the initial resolution and subject to the same conditions and for the same purposes as provided in K.S.A. 72-8801, and amendments thereto, and shall be authorized to make such additional tax levy as is specified in such second resolution for the remainder of the five years succeeding the adoption of the initial resolution. Any such second resolution shall be limited in amount as specified in K.S.A. 72-8801, and amendments thereto, less such amount as has been authorized in the initial resolution, and not to exceed the statutorily prescribed mill rate in any one year. In the event that~~ *The board of education of any school district which has adopted a resolution under K.S.A. 72-8801, and amendments thereto, may*

adopt subsequent resolutions adjusting the amount of the tax levy or the duration of such levy or addressing the uses of the moneys derived from a levy made pursuant to the subsequent resolution. If the board adopts a resolution pursuant to this section, the existing resolution shall remain in force and effect until the resolution adopted pursuant to this section becomes effective. If any such resolution is so adopted and the tax levy therein specified is approved under the conditions specified in K.S.A. 72-8801, and amendments thereto, the amount of bonds which may be issued under K.S.A. 72-8805, and amendments thereto, may be increased accordingly.

Sec. 5. K.S.A. 72-8810 is hereby amended to read as follows: 72-8810. Any school district which ~~is authorized to make a tax levy~~ *adopts a resolution* under K.S.A. 72-8809, and amendments thereto, may issue and sell general obligation bonds based upon and in lieu of making all or part of such tax levy. Any bonds issued under authority of this section shall be subject to like limitations as bonds issued under K.S.A. 72-8805, and amendments thereto, and shall be issued in the same manner.

Sec. 6. K.S.A. 72-8801, 72-8804, 72-8805, 72-8807, 72-8808, 72-8809 and 72-8810 are hereby repealed.”;

By renumbering section 4 as section 7;

In the title, in line 10, by striking all after “72-8801”; in line 11, by striking “sections” and inserting “, 72-8804, 72-8805, 72-8808 and 72-8810 and repealing the existing sections; also repealing K.S.A. 72-8807 and 72-8809”; and the bill be passed as amended.

Also **SB 128** be amended on page 1, in line 19, by striking “(1)” and inserting “(a)”; in line 20, by striking “(2)” and inserting “(b)”; in line 22, by striking “or”; in line 23, by striking “(3)” and inserting “(c)”; in line 27, by striking the period and inserting “; or”; following line 27, by inserting:

“(d) the counselor or school psychologist has reason to suspect, as a result of that information or communication, that the pupil or some other person has committed or intends to commit a felony or, if the pupil is a juvenile, an act that would constitute the commission of a felony if committed by an adult or any offense specified in K.S.A. 72-89c02, and amendments thereto, regardless of the age of the pupil.”; and the bill be passed as amended.

REPORT ON ENGROSSED BILLS

SB 15, SB 35, SB 57, SB 82 reported correctly engrossed February 19, 2003.

REPORT ON ENROLLED BILLS

SR 1815 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 19, 2003.

On motion of Senator Oleen the Senate adjourned until 2:30 p.m., Thursday, February 20, 2003.

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

PAT SAVILLE, *Secretary of the Senate.*

