

# Journal of the Senate

EIGHTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Thursday, January 22, 2004—2:30 p.m.

The Senate was called to order by President Dave Kerr.  
The roll was called with thirty-five senators present.  
Senators Adkins, Brungardt, Emler, Pugh and Taddiken were excused.  
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

One of Your ten commandments is "You shall not murder". (Ex.20:13; Deut.5:17)  
And yet, the son of the very first couple on earth murdered his brother.

And the murdering has continued since that first crime. Sadly, a great deal of murder is committed in the name of religion. In the Middle East people strap explosives to their bodies and blow up innocent people in the name of religion. In the Sudan, Christians have been enslaved, slaughtered, and even crucified simply because they were Christians. In India Buddhists and Hindus kill each other in the name of religion. In Ireland Protestants and Catholics slay each other in the name of Christianity. There are religious inspired murders in other countries around the world.

In our country there are gang murders, mob murders, domestic murders, serial murders, contract murders, and many other kinds.

In the first chapter of the first book in the Bible we read that "God created man in His own image, in the image of God He created him; male and female He created them. (Genesis 1:27)

You have left no doubt that all human life is sacred. Help us, Lord, as legislators, try to insure that our laws do as much as possible to protect Kansas people from murderers and make sure that murderers are punished.

Most of all we pray that people will take Your sixth commandment seriously.

I pray in the name of Jesus,

AMEN

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**SB 329**, An act amending the child passenger safety act; amending K.S.A. 8-1343a, 8-1344 and 8-1345 and repealing the existing sections, by Committee on Transportation.

**SB 330**, An act regulating traffic; requiring certain warning devices on garbage trucks; amending K.S.A. 8-1738 and repealing the existing section, by Committee on Transportation.

**SB 331**, An act concerning wind resources and technologies; relating to the recording of leases or easements related thereto; amending K.S.A. 58-2221 and repealing the existing section, by Committee on Utilities.

**SB 332**, An act relating to emergency medical services; providing for emergency medical responder; amending K.S.A. 65-6001, 65-6112, 65-6124, 65-6144 and 65-6145 and K.S.A. 2003 Supp. 75-4364 and repealing the existing sections, by Committee on Ways and Means.

**SB 333**, An act relating to automated teller machines; requiring reverse personal identification number technology, by Senators Journey, Barnett, Betts, Brungardt, Clark, Helgerson, Huelskamp, Jordan, Lyon, Pugh, Salmans, Schodorf, Steineger, Tyson and Wagle.

**SB 334**, An act concerning land; relating to agritourism, by Senators Schmidt, Schodorf, Brownlee and Jordan.

**SB 335**, An act concerning fire safety and prevention; relating to the powers and duties of the state fire marshal, by Committee on Agriculture.

**SB 336**, An act concerning establishment of a tobacco use prevention and control program, by Committee on Public Health and Welfare.

**SB 337**, An act concerning crimes; relating to hypnotic exhibition; repealing K.S.A. 21-4007, by Committee on Judiciary.

**SB 338**, An act concerning liens; pertaining to the perfection of certain liens; amending K.S.A. 2003 Supp. 58-244 and repealing the existing section, by Committee on Financial Institutions and Insurance.

**SB 339**, An act concerning property insurance; relating to the cancellation of or refusal to renew coverage, by Committee on Financial Institutions and Insurance.

**SB 340**, An act concerning insurance; relating to risk-based capital requirements; amending K.S.A. 2003 Supp. 40-2c01 and repealing the existing section, by Committee on Financial Institutions and Insurance.

**SB 341**, An act concerning insurance; relating to appointment and certification fees; amending K.S.A. 40-252 and K.S.A. 2003 Supp. 40-4912 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

**SB 342**, An act concerning insurance; pertaining to required provisions of certain accident and health policies; amending K.S.A. 40-2202 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:

Agriculture: **SB 326**.

Assessment and Taxation: **SB 325**.

Education: **SB 327**.

Elections and Local Government: **SB 328**.

Judiciary: **SB 324**

Ways and Means: **SB 323**.

#### INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

SENATE RESOLUTION No. 1804—

By Senator Bunten

A RESOLUTION relating to the rules of the Senate for 2001-2004; amending Rule 7 and Rule 22, relating to the Committee on Organization, Calendar and Rules.

*Be it resolved by the Senate of the State of Kansas:* That Rule 7 be amended to read as follows:

**Rule 7. Standing Committees.** (a) There shall be a standing committee named the Committee on ~~Organization~~, Calendar and Rules which shall consist of nine members, the chairperson of which shall be the president of the senate, and the vice chairperson of which shall be the majority leader of the Senate. The vice president of the Senate shall be a member of the committee. Each of the other six members shall be selected separately by the majority political party of the Senate.

(b) No bill or resolution other than resolutions adopting, amending or revoking rules of the Senate or Joint Rules of the Senate and House of Representatives, shall be introduced by or be referred to the Committee on ~~Organization~~, Calendar and Rules.

(c) The following shall be the other standing committees:

	Number of members
1. Agriculture .....	9
2. Assessment and Taxation .....	11
3. Commerce .....	9
4. Confirmation Oversight Committee .....	6
5. Education .....	11
6. Elections and Local Government .....	9
7. Natural Resources .....	9
8. Federal and State Affairs .....	9
9. Financial Institutions and Insurance .....	9
10. Interstate Cooperation .....	7
11. Judiciary .....	11
12. Public Health and Welfare .....	9
13. Reapportionment .....	11
14. Transportation .....	9
15. Utilities .....	9
16. Ways and Means .....	11

(d) ~~The Committee on Organization, Calendar and Rules~~ *president of the senate* shall appoint the members of each committee, shall appoint the chairperson and vice chairperson or vice chairpersons thereof and shall designate the ranking minority member of each committee. *The president of the senate may remove or replace any such committee member, chairperson, vice chairperson, vice chairpersons or ranking minority member at any time.* The minority leader shall submit recommendations for the appointment of minority members to the standing committees of the Senate to the ~~Committee on Organization, Calendar and Rules~~ *president of the senate*. The ~~Committee on Organization, Calendar and Rules~~ shall have a standing subcommittee on calendar which shall be the president of the senate, the vice president of the senate and the majority leader of the Senate. The Majority Leader shall be the chairperson of the subcommittee. The ~~Committee on Organization, Calendar and Rules~~ may establish such other subcommittees of the ~~Committee on Organization, Calendar and Rules~~ as the ~~Committee on Organization, Calendar and Rules~~ deems appropriate.

~~For the purpose of considering committee member appointments, and appointments of chairpersons, vice-chairpersons and ranking minority members, and for such other purposes as may be authorized by law, by the joint rules of the senate and the house of representatives or by rules of the senate for closed meetings, the Committee on Organization, Calendar and Rules may close its meetings:~~

(e) The two major political parties shall have proportional representation on each standing committee other than the ~~Committee on Organization, Calendar and Rules~~. In the event application of the preceding sentence results in a fraction, the party having a fraction exceeding .5 shall receive representation as though such fraction were a whole number.

(f) *For purposes of references in statutory and other documents, the president of the senate shall be the successor to the Committee on Organization, Calendar and Rules.*

*Be it further resolved:* That Rule 22 be amended to read as follows:

**Rule 22. Party affiliation-change.** If any Senator changes political party affiliation (1) from the political party of such Senator at the time of the Senator's election, or (2) if the Senator was appointed, from the political party of the district convention which elected such person to be so appointed, the following shall apply:

(a) Such Senator shall be removed from all memberships on standing and other committees, from all positions of chairperson or vice chairperson of a standing or other committee, and from any office of the Senate held at the time of such change. ~~The Committee on Organization, Calendar and Rules~~ *president of the senate* shall appoint a Senator to fill any vacancy which arises under this subpart (a).

(b) The proportion of Senators from major political parties on each standing committee originally determined under Rule 7 (providing for proportional representation of members of political parties upon standing committees) shall not be altered. ~~The Committee on Organization, Calendar and Rules~~ *president of the senate* shall fill each standing committee

member position vacated by such Senator by appointing a Senator of the political party from which such Senator changed.

On motion of Senator Oleen the Senate adjourned until 9:30 a.m., Friday, January 23, 2004.

HELEN MORELAND, CAROL PARRETT, BRENDA KLING, *Journal Clerks*.  
PAT SAVILLE, *Secretary of the Senate*.

