

Journal of the Senate

NINETEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, February 6, 2004—9:30 a.m.

The Senate was called to order by President Dave Kerr.
The roll was called with twenty-nine senators present.
Senators Allen, Barnett, Brownlee, Brungardt, Helgerson, Jackson, Lyon, O'Connor, Steineger, Taddiken and Wagle were excused.
President Kerr introduced as guest chaplain, Rabbi Lawrence P. Karol, Temple Beth Sholom, Topeka, Kansas, who delivered the invocation:

Eternal One, Source of Blessing, our Guardian and Hope,
Bless, we pray, all who are dear to us.
Watch over them with protecting love.
Support all who are here in this chamber and
all who serve the state of Kansas.
Grant inspiration that will generate new ideas.
Sustain a depth of commitment to all citizens that will engender honor and trust.
Strengthen our resolve to preserve in every decision a sense of justice, in
every discussion a sense of mutual respect.
Keep us faithful to our heritage of freedom and democracy that binds leaders and
citizens together in a covenant of communication and cooperation. Open all minds
and hearts to consider the widest range of solutions to the problems and challenges
we face, knowing that our willingness to consider many options will create among
us valuable dialogue and understanding. Remind us, Creator of humankind, that
beyond party labels and cultural, ethnic and religious differences, we are all members
of one human family that still seeks to bring to this world liberty, righteousness and
peace. May the work that we do every day have lasting value, and may we all leave
here, whether in snow or sun, in safety and security. And let us say Amen.

PRESENTATION OF PETITIONS

The following petition was presented, read and filed:
SP 3, by Senator Lee: A petition supporting fraternal clubs to have gaming, signed by Valarie Corwin, Hays, and 150 other residents of Ellis County.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:
SB 466, An act concerning driver's licenses; relating to medical information reported to the division; amending K.S.A. 8-255c and repealing the existing section, by Committee on Judiciary.
SB 467, An act concerning personal property taxation; relating to collection of delinquent taxes; liens to secure payment, priority and perfection; secured transactions, notice; amending K.S.A. 79-2020 and 79-2109 and K.S.A. 2003 Supp. 84-9-611, 84-9-615 and 84-9-621 and repealing the existing sections; also repealing K.S.A. 79-2110, by Committee on Judiciary.

SB 468, An act concerning taxation; relating to delinquent taxes and returns; revocation or nonrenewal of certain professional licenses; procedures, by Committee on Assessment and Taxation.

SB 469, An act requiring investigation and report of findings regarding investigation into the circumstances of inmate deaths in department of corrections facilities and jails, by Senators Schmidt and Hensley.

SB 470, An act concerning sales taxation; relating to remittance credits for collection services provided by retailers, by Senators Corbin and Donovan.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **SB 462, SB 463, SB 464.**

Education: **SB 465.**

Natural Resources: **SB 451.**

Financial Institutions & Insurance: **SB 456, SB 457.**

Judiciary: **SB 445, SB 460, SB 461.**

Public Health and Welfare: **SB 452, SB 453, SB 458.**

Transportation: **SB 446, SB 447, SB 448, SB 449, SB 454.**

Utilities: **SB 455.**

Ways and Means: **SB 450, SB 459.**

MESSAGE FROM THE HOUSE

The House announces the appointment of Representative Powell to replace Representative Light as a conferee on **HB 2027.**

CONSIDERATION OF MOTIONS TO CONCUR OR NONCONCUR

On motion of Senator Jordan the Senate nonconcurred in the House amendments to **H Sub for Sub SB 153** and requested a conference committee be appointed.

The President appointed Senators Brownlee, Jordan and Barone as a conference committee on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Donovan, Betts, Brownlee, Buhler, Clark, Corbin, Downey, Emler, Goodwin, Jordan, Journey, Lee, Lyon, Oleen, Pugh, Salmans, Schmidt, Schodorf, Teichman, Tyson, Umbarger and Wagle introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1811—

A RESOLUTION supporting an air transportation master plan that transforms the state transportation infrastructure into a catalyst for global business and tourism expansion.

WHEREAS, Fair Fare\$ strategies brought to the citizens of Kansas AirTran Airways, the Great Lakes/Frontier codeshare and Allegiant Air, plus affordable fares, more responsive service and a rapidly growing passenger base; and

WHEREAS, The Fair Fare\$ Plan for Kansas Air Service (Plan) stabilizes and expands the low-cost advantage at Mid-Continent Airport and extends Fair Fare\$ benefits to communities across the state; and

WHEREAS, The Plan optimizes Kansas' airfield utilization and the contributions from those airfields to the Kansas economy and to Kansans' quality of life; and

WHEREAS, The Plan developed Mid-Continent Airport, the state's largest commercial airfield, into a small hub with nonstop service to the Kansas top 20 markets, low-fare competition to all of the Kansas top 50 markets and low-cost competition maintained by AirTran Airways, Frontier Airlines, Allegiant Air and eventually Southwest Airlines; and

WHEREAS, The Plan would extend this low-cost, high service environment to communities across Kansas through realigned commuter air service, enhanced ground transportation infrastructure and collaborative market development initiatives; and

WHEREAS, The Plan would expand the Fair Fare\$ alliance of organizations in support of Fair Fare\$ to include representation by the governor, lieutenant governor, state legisla-

ture, federal officials representing Kansas, and community, business and economic development leaders across the market area: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the Senate joins in partnership with the City of Wichita in promoting our state's air transportation infrastructure to position Kansas companies as global contenders for economic development and tourist opportunities; and

Be it further resolved: That the Secretary of the Senate provide five enrolled copies of this resolution to Senator Donovan plus one copy each to Senators Jordan, Kerr and Schodorf.

On emergency motion of Senator Donovan **SR 1811** was adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce** recommends **SB 334** be amended on page 2, in line 31, after the period by inserting "If the secretary has not approved or denied the application within 30 days after the application is filed, then the designation shall be deemed granted for a period of five years.";

On page 3, in line 40, before the period by inserting ", and a qualified agritourism operator entitled to coverage under K.S.A. 58-3202, *et seq.*, and amendments thereto, shall be entitled to the full limits of liability afforded under K.S.A. 58-3202, *et seq.*, and amendments thereto"; and the bill be passed as amended.

Committee on Judiciary recommends **SB 256**, **SB 316** be passed.

Also, **SB 317** be amended on page 2, in line 25, by striking all after the period; by striking all in lines 26 through 43;

By striking all on page 3;

On page 4, by striking all in lines 1 through 21; and the bill be passed as amended.

On motion of Senator Oleen the Senate adjourned until 2:30 p.m., Monday, February 9, 2004.

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

PAT SAVILLE, *Secretary of the Senate.*

