

Journal of the Senate

TWENTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 9, 2004—2:30 p.m.

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

President Kerr introduced as guest chaplain, Resident Bishop Albert Frederick Mutti, The United Methodist Church, Topeka, Kansas, who delivered the invocation:

Almighty and merciful God, by your wisdom and guidance may the members of the Kansas Senate begin this session with the assurance of your transcendent presence.

Help each Senator to guard the public trust given through election. Grant to each Senator the ability to listen to others carefully. Enable each Senator to offer his or her best insights for the well-being of the citizens of Kansas.

As this day continues, O God, make clear the needs, the hopes and the dreams of all the citizens of this state. Especially make known the needs of the children so that government might assist each one in the journey toward maturity as a fully contributing citizen of the land.

At the end of this session, everlasting God, may the service rendered by these Senators, be acceptable in your sight. Amen

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 471, An act concerning use of certain dentist names; amending K.S.A. 65-1435 and repealing the existing section, by Committee on Public Health and Welfare.

SB 472, An act concerning motor carriers; relating to trucks mounted with fertilizer spreaders; amending K.S.A. 2003 Supp. 66-1,109 and repealing the existing section, by Committee on Agriculture.

SB 473, An act concerning property taxation; relating to exemptions; hospitals and organizations providing humanitarian services; amending K.S.A. 2003 Supp. 79-201 and 79-201b and repealing the existing sections, by Committee on Federal and State Affairs.

SB 474, An act concerning motor vehicles; relating to drivers' licenses; requiring van endorsement for certain vehicles; amending K.S.A. 8-234a, 8-234b and 8-238 and K.S.A. 2003 Supp. 8-240 and repealing the existing sections, by Senator Hensley.

SB 475, An act concerning open meetings; relating to executive sessions; requiring recording thereof; amending K.S.A. 2003 Supp. 75-4319 and repealing the existing section, by Committee on Ways and Means.

SB 476, An act amending the open records act; relating to application to certain records; amending K.S.A. 45-217 and repealing the existing section, by Committee on Ways and Means.

SB 477, An act concerning taxation; relating to confidentiality of information; disclosure; amending K.S.A. 79-1119, 79-3392, 79-3614 and 79-4105 and K.S.A. 2003 Supp. 12-189, 75-5133, 79-3234 and 79-3657 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 478, An act concerning personal property taxation; relating to classification; wireless communication towers, antenna and relay sites, by Committee on Assessment and Taxation.

SB 479, An act concerning elections; relating to conformity with the help America vote act of 2002; amending K.S.A. 25-216, 25-414, 25-1122d, 25-1123, 25-1216, 25-1223, 25-2507 and 25-2806 and K.S.A. 2003 Supp. 25-409, 25-1122, 25-2309, 25-2706, 25-2908, 25-3002 and 25-3008 and repealing the existing sections, by Committee on Elections and Local Government.

SB 480, An act concerning income taxation; relating to tax credits for investment in qualifying businesses; powers and duties of the Kansas technology enterprise corporation; repealing K.S.A. 74-8224, 74-8227, 74-8228 and 74-8229 and K.S.A. 2003 Supp. 74-8221, 74-8222, 74-8223, 74-8225 and 74-8226, by Committee on Commerce.

SB 481, An act concerning the employment security laws; relating to state unemployment tax, exempting private prison based industries from payment; amending K.S.A. 2003 Supp. 44-703 and repealing the existing section, by Committee on Commerce.

SB 482, An act concerning the employment security laws; relating to freezing automatic benefit increases; amending K.S.A. 2003 Supp. 44-704 and repealing the existing section, by Committee on Commerce.

SB 483, An act concerning the employment security laws; relating to disqualification from receipt of benefits; amending K.S.A. 2003 Supp. 44-706 and repealing the existing section, by Committee on Commerce.

SB 484, An act concerning eminent domain; amending K.S.A. 26-513 and repealing the existing section, by Committee on Natural Resources.

SB 485, An act concerning motor vehicles; relating to export certificate of titles; amending K.S.A. 2003 Supp. 8-135 and repealing the existing section, by Senator Haley.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 468**, **SB 470**.

Judiciary: **SB 466**, **SB 467**, **SB 469**.

MESSAGE FROM THE GOVERNOR

February 2, 2004

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Directive No. 04-349 for your information.

Sincerely,

KATHLEEN SEBELIUS

Governor

The President announced Executive Directive No. 04-349, Authorizing Expenditure of Federal Funds and Authorizing Personnel Transactions, is on file in the office of the Secretary of the Senate and available for review at any time.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2606**.

The House accedes to the request of the Senate for a conference on **House Substitute for Substitute SB 153** and has appointed Representatives Holmes, Krehbiel and Kuether as conferees on the part of the House.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2606 was thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **SB 346** be passed.

Also **SB 359** be amended on page 3, in line 13, by striking "alternate" and inserting "alternative"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 336** be amended on page 1, in line 14, after the comma, by inserting: “and within the limits of appropriations therefor,”; and the bill be passed as amended.

Also **SB 365** be amended on page 1, in line 37, before the period, by inserting: “except that any audit of any person regulated by the state corporation commission shall address only compliance with laws or regulations, collection or remittance of taxes or fees, or other matters related directly to state government programs or functions. Any such audit authorized under this subsection shall not address corporate governance or financial issues except as they may relate directly to state government programs or functions”; and the bill be passed as amended.

REPORT ON ENROLLED BILLS

SR 1809, SR 1810 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 6, 2004.

On motion of Senator Oleen the Senate adjourned until 2:30 p.m., Tuesday, February 10, 2004.

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

