

Journal of the Senate

TWENTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 10, 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.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

The prophet Micah asks the question, "What does the Lord require of you?"
Then he answers, "To act justly and to love mercy, and to walk humbly with your
God."

Help us, Lord, to strive to be
Persons You admire;
To treat each other fairly
Is one thing You require.

To show mercy to the people
Who hurt us with their words;
Being ready to forgive
The harmful things we've heard.

To make it our strong intent
To become what we can be,
And follow You where e'er You lead
With deep humility.

As moderate or conservative,
Republican or Democrat,
Help us strive to show respect
As a tactful diplomat.

Remind us, Lord, that there is life
Beyond the legislature,
And how we conduct ourselves today
Will later mold our nature.

So enable us to daily act
Humbly, merciful, fairly;
For I think that most of us agree
We see this life too rarely.

I pray in the Name of Christ,

AMEN

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 486. An act concerning municipal courts; relating to the sentencing of juvenile offenders; amending K.S.A. 12-4509 and repealing the existing section, by Senator Emler.

SB 487. An act concerning mineral severance tax; relating to disposition of revenue; creating the gas valuation depletion trust fund and providing for distribution of moneys therefrom; amending K.S.A. 2003 Supp. 79-4227 and repealing the existing section, by Committee on Ways and Means.

SB 488. An act concerning victim identity protection; amending K.S.A. 45-217 and K.S.A. 2003 Supp. 45-221 and repealing the existing sections, by Committee on Ways and Means.

SB 489. An act concerning children and minors; pertaining to death or injury under certain circumstances; amending K.S.A. 22a-243 and 38-1508 and K.S.A. 2003 Supp. 38-1507 and repealing the existing sections, by Committee on Ways and Means.

SB 490. An act concerning state educational institutions under the control and supervision of the state board of regents; relating to interest earnings on moneys in certain special revenue funds; amending K.S.A. 74-3213, 74-5619, 74-5620, 76-6b02, 76-719, 76-753 and 76-755 and K.S.A. 2003 Supp. 76-326b, 76-327c, 76-385 and 76-762 and repealing the existing sections, by Legislative Educational Planning Committee.

SB 491. An act concerning voting; amending K.S.A. 25-2416 and repealing the existing section, by Senator Pugh.

SB 492. An act concerning drivers' licenses; relating to the definition of nonresident; amending K.S.A. 8-234a and repealing the existing section, by Senator Pugh.

SB 493. An act concerning property taxation; relating to exemptions; amending K.S.A. 2003 Supp. 79-201b and repealing the existing section, by Committee on Assessment and Taxation.

SB 494. An act concerning tax increment financing; relating to tax delinquencies on property within a redevelopment district; apportionment thereof; amending K.S.A. 12-1775 and K.S.A. 2003 Supp. 12-1770a and repealing the existing sections, by Committee on Assessment and Taxation.

SB 495. An act concerning crimes, criminal procedure and punishment; relating to admitting certain persons to public institutions of postsecondary education, by Senator Pugh.

SB 496. An act concerning hunting; relating to the revocation or suspension of hunting licenses; amending K.S.A. 32-1013 and repealing the existing section, by Committee on Natural Resources.

SB 497. An act concerning criminal procedure; relating to offender registration; amending K.S.A. 2003 Supp. 22-4909 and repealing the existing section, by Senator Brownlee.

SB 498. An act concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; postretirement benefit increase; amending K.S.A. 2003 Supp. 74-4920 and repealing the existing section, by Senator Hensley.

SB 499. An act concerning lotteries; enacting the Kansas expanded gaming opportunity act; authorizing operation of destination casinos, electronic gaming machines, video lottery terminals and other lottery games at certain locations; prohibiting certain acts and providing penalties for violations; amending K.S.A. 74-8702, 74-8705, 74-8710, 74-8711 and 74-8723 and K.S.A. 2003 Supp. 19-101a and repealing the existing sections, by Committee on Federal and State Affairs.

SB 500. An act relating to motor vehicles; concerning nonrepairable and salvage vehicles; amending K.S.A. 8-135c and 8-197 and K.S.A. 2003 Supp. 8-198 and repealing the existing sections, by Committee on Transportation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **SB 472.**

Assessment and Taxation: **SB 473, SB 477, SB 478.**

Commerce: **SB 480, SB 481, SB 482, SB 483.**

Elections and Local Government: **SB 479; HB 2606.**

Judiciary: **SB 475, SB 476, SB 484.**

Public Health and Welfare: **SB 471**.
 Transportation: **SB 474, SB 485**.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **SB 374** be passed.

Also, **SB 373** be amended on page 1, in line 22, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 337** be amended on page 1, in line 15, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 418** be passed.

Committee on **Transportation** recommends **SB 289** be amended on page 1, in line 23, by striking all following "signs"; by striking all in line 24; in line 25, by striking "ing" and inserting "at all appropriate locations near"; in line 30, by striking "and"; following line 30, by inserting:

"(2) the city or unincorporated community is located on a highway which is part of the state highway system; and";

Also on page 1, in line 31, by striking "(2)" and inserting "(3)"; in line 32, preceding "cost" by inserting "initial"; also in line 32, following "signs" by inserting "and an additional 50% of the initial cost to defray future maintenance or replacement costs of such signs"; in line 35, by striking "in"; by striking all in lines 36 through 39; in line 40, by striking all preceding "shall";

On page 2, in line 1, by striking all following "(2)"; in line 2, by striking "the edge of the unincorporated community; (3)"; in line 3, by striking "(4)" and inserting "(3)"; following line 16, by inserting:

"(e) The governing body of any city or the board of county commissioners for any unincorporated community, not located on a highway which is part of the state highway system, may request a governor's hometown sign from the secretary of transportation which meets the design specifications of subsection (c). Such city or unincorporated community shall reimburse the secretary for the cost of such sign and shall be responsible for the installation, repair, maintenance or replacement of such sign.

(f) (1) The governing body of any city or the board of county commissioners for any unincorporated community which was a territorial capital of Kansas, may request the secretary of transportation to install a territorial governor's sign, subject to the same procedure, conditions and limitations contained in subsections (b) and (e).

(2) The secretary of transportation, or the secretary's designee, shall design the territorial governor's signs. The size, shape, color, design and content of such signs shall be distinctive and shall be determined by the secretary of transportation, except that such signs shall include: (1) The name of the city or unincorporated community; (2) an indication that such city or unincorporated community was a territorial capital of Kansas, the name of each territorial governor of Kansas who served in such territorial capital, the numerical designation of each such governor in the succession of governors of Kansas and the years each such governor served as territorial governor of Kansas."; and the bill be passed as amended.

Also, **SB 194** be not passed.

REPORT ON ENROLLED BILLS

SR 1811 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 10, 2004.

COMMITTEE OF THE WHOLE

On motion of Senator Oleen, the Senate resolved itself into Committee of the Whole for consideration of bills on the calendar under the heading of General Orders with Senator Clark in the chair.

On motion of Senator Clark the following report was adopted:

Recommended **SB 316, SB 346** be passed.

SB 298, SB 315, SB 317, SB 336 be amended by adoption of the committee amendments, and the bills be passed as amended.

SCR 1616 be amended by adoption of the committee amendments, and the resolution be adopted as amended.

SB 359 be amended by adoption of the committee amendments, be further amended by motion of Senator Umbarger on page 3, line 15, by inserting before the word "number" the word "average" and **SB 359** be passed as further amended.

SB 256 be passed over and retain a place on the calendar.

On motion of Senator Oleen the Senate adjourned until 2:30 p.m., Wednesday, February 11, 2004.

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

