

Journal of the Senate

TWENTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 7, 2006—2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Your Son had some stern words to say about protecting our children: "...whoever welcomes a little child...in my name welcomes Me. But if anyone causes one of these little ones who believe in me to sin, it would be better for him to have a large millstone hung around his neck and to be drowned in the depths of the sea." (Matthew 18:5-6)

So we know You are concerned, O God,
When a child is victimized
In a society such as ours,
Ostensibly civilized.

Predators roam the chat rooms
Seeking to earn the trust
Of some vulnerable child
On whom to vent his lust.

In the halls at schools
And on the streets gangs roam
Seeking naive children
Unhappy in their homes.

One third of all the families
Have fathers who have skipped,
And most prisoners and their fathers
Had no relationship.

Besides the laws that we can pass,
Help us, Lord, to do
Everything we can
To lead the guilty ones to You.

And I pray for the children in the name of Jesus Christ,

AMEN

REMARKS BY SENATOR HALEY

Senator Haley rose on a Point of Personal Privilege to deliver the following remarks:

Mr. President: The lowering of any flag to half-staff, the governmental symbolism of shared mourning, is traditionally reserved to commemorate the passing of a head of state or often for a soldier or officer; fallen in the line of duty.

Today, our state and indeed our country respectfully salutes in this manner, the lowering of our flags, and in countless other tributes the advocacy of Coretta Scott King whose funeral services are continuing at this very hour in Georgia. Mrs. King brought a solemn dignity to the face of the civil rights movement. Seemingly ever present at her late husband's side during the many marches and the sit-ins and the prayer vigils, Coretta Scott King tragically widowed half her life ago never wavered from the causes for which her immediate family sacrificed so much. As a classmate and a friend (at Morehouse College in Atlanta) of two of her children, Martin Luther III ("Marty") and Dexter Scott King, we often discussed intimately the blessings and the curses of having a well-known last name; especially in the black community where the perception is that if your name is well known, well you must be wealthy! Well Mr. President, though their last name was King, they did not have a lot of money. (And though my last name was Haley I surely didn't!) But what the King boys also did not have is why I especially request the Personal Privilege today. Unlike my blessing of two loving parents in the home, essentially Marty and Dexter, and their two sisters, grew up without a father; a mighty legacy, yes, but no Dad to shepherd them in their home through the pitfalls and the vicissitudes of life. But they had a Mother. And what a tremendous Mother, indeed. Coretta Scott King, while representing the precepts and the values of inclusion and of tolerance and of non-violence, raised to adulthood, practically by herself four spectacular children. As America awakened to a new day of integration, Mrs. King awakened and prepared young leadership to take its place today and for tomorrow.

And so Mr. President, as we reflect on the flags around this Capitol and this Country, shall we too salute the contributions to causes seen and often unseen that truly great women, Coretta Scott King and others, have made their life's work. Amen and thank God!—David Haley

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

SB 515, An act concerning workers compensation; relating to group-funded workers compensation pool; surplus funds; adequate surplus funds; amending K.S.A. 44-582 and repealing the existing section, by Committee on Commerce.

SB 516, An act concerning public construction contracts; enacting the Kansas fairness in public construction contract act, by Committee on Commerce.

SB 517, An act concerning crimes, criminal procedure and punishment; relating to alcohol; unlawfully hosting minors consuming alcoholic liquor or cereal malt beverages; amending K.S.A. 2005 Supp. 21-3610c and repealing the existing section, by Senators Brownlee, Apple, Emler, Gilstrap, Goodwin, Hensley, Jordan, Journey, Kelly, Lee, Morris, O'Connor, Ostmeyer, Petersen, Pine, Schodorf, Teichman, Umbarger, Vratil and Wilson.

SB 518, An act concerning payment of compensation; relating to payment methods; electronic transfer; electronic deposit; payroll card; amending K.S.A. 44-314 and repealing the existing section, by Committee on Commerce.

SB 519, An act relating to sexually-oriented signs; restricting location thereof on state highways, by Senator Huelskamp.

SB 520, An act concerning civil procedure; relating to limited actions; return of summons or process; copy mailed to attorney for requesting party or to requesting party; amending K.S.A. 61-3005 and repealing the existing section, by Committee on Judiciary.

SB 521, An act concerning corporations; relating to reinstatement of corporate status; amending K.S.A. 2005 Supp. 17-7002 and repealing the existing section, by Committee on Judiciary.

SENATE CONCURRENT RESOLUTION No. 1619

By Committee on Ways and Means

A CONCURRENT RESOLUTION requesting the creation of a task force to study the design and implementation of an electronic motor vehicle financial security verification system for real time verification of compliance with the financial security requirements of the Kansas automobile injury reparations act.

WHEREAS, Insurance is an economic tool to protect the assets of Kansas residents; and

WHEREAS, Uninsured motorists unfairly contribute to the cost of motor vehicle insurance; and

WHEREAS, The state of Kansas is desirous of implementing an electronic motor vehicle financial security verification system for real time verification of compliance with the financial security requirements of K.S.A. 40-3101 et seq., and amendments thereto, to combat uninsured motorists; and

WHEREAS, The design of such electronic motor vehicle financial security verification system needs to include the following factors:

- (1) The likelihood the system would reduce the number of uninsured motorists in the state;
- (2) the likelihood the system would aid law enforcement in the identification of uninsured motorists in this state;
- (3) the reliability of the system;
- (4) the cost-effectiveness of the system;
- (5) privacy protections of the system;
- (6) data security and integrity of the system; and
- (7) any other issue related to the proper design and implementation of the system: Now, therefore,

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That a task force be formed consisting of 17 members to include the commissioner of insurance or the commissioner's designee; the secretary of revenue or the secretary's designee; the director of the division of motor vehicles or the director's designee; one member appointed by the president of the senate; one member appointed by the minority leader of the senate; one member appointed by the speaker of the house of representatives; one member appointed by the minority leader of the house of representatives; one member representing a domestic property and casualty insurance company and one member representing a foreign property and casualty insurance company appointed by the insurance commissioner from a list submitted by the Kansas Association of Property and Casualty Insurance Companies; one member representing foreign stock insurance companies appointed by the insurance commissioner from a list submitted by the American Insurance Association; one member representing foreign mutual insurance companies appointed by the insurance commissioner from a list submitted by the National Association of Independent Insurers; one member representing a property and casualty insurance company appointed by the insurance commissioner from a list submitted by the Alliance of American Insurers; one member representing a property and casualty insurance company appointed by the insurance commissioner from a list submitted by the National Association of Mutual Insurance Companies; one member representing the licensed Kansas insurance agents appointed by the insurance commissioner from a list submitted by the Kansas Association of Insurance Agents and two members appointed by the governor representing law enforcement and one member appointed by the governor representing the consumer interests. The commissioner of insurance shall serve as the chairperson and appoint the vice-chairperson from the membership of the task force. The chairperson and vice-chairperson shall not be of the same political party. No task force member shall receive any compensation, subsistence, mileage or other allowances for serving on the task force or attending any meeting thereof.

Be it further resolved: That a report containing the results of the study and the task force's recommendations and conclusions emanating therefrom shall be transmitted to the speaker of the house of representatives, the president of the senate, the chair of the house committee on insurance, and the chair of the senate committee on financial institutions and insurance no later than the convening of the 2007 Kansas legislature.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **HB 2698.**

Commerce: **HB 2560.**

Education: **SB 514; HB 2572.**

Judiciary: **SB 512**.
Ways and Means: **SB 513**.

REMOVE FROM CONSENT CALENDAR

An objection having been made to **SB 396** appearing on the Consent Calendar, the President directed the bill be removed and placed on the calendar under the heading of General Orders.

REPORT ON ENROLLED BILLS

SCR 1617 reported correctly enrolled, properly signed and presented to the Secretary of State on February 7, 2006.

REPORTS ON STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 418** be amended on page 7, in line 28, by striking "or";

On page 8, in line 25, by striking "Violation of this section" and inserting "Carrying a concealed weapon on premises in violation of any restriction or prohibition allowed by subsection (a), or in violation of any restriction or prohibition allowed by subsection (b) or (c) if the premises are posted as required by such subsection,"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **SB 422** be passed. The Committee on **Judiciary** recommends **SB 352** be amended on page 1, in line 34, after "(d)" by inserting a comma; in line 35, by striking "and" where it appears for the first time; also in line 35, after "(e)" by inserting "and (f)"; in line 36, by striking all after "statement"; by striking all in lines 37 and 38; in line 39, by striking all before "ceases";

On page 2, after line 18, by inserting:

"(f) Subsection (c)(2) does not apply to a financing statement that was filed in the proper place in the state before July 1, 2001, pursuant to K.S.A. 84-9-401, as such section existed immediately before July 1, 2001, and for which the proper place of filing in the state was not changed pursuant to K.S.A. 84-9-501, as such section existed on July 1, 2001.";

Also on page 2, in line 19, by striking "(f)" and inserting "(g)"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 496** be passed.

Also, **SB 510** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Wednesday, February 8, 2006.

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

PAT SAVILLE, *Secretary of the Senate*.

