

# Journal of the Senate

FORTY-SECOND DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Thursday, March 9, 2006—2:30 p.m.

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

Heavenly Father,

Webster's first definition of politics is "the art and science of the government of a state."

His definition of a partisan is "someone who actively supports a party, cause, or principle."

His definition of a bipartisan is the "two party system in politics...marked by the cooperation of both parties."

If we want a government  
Which is hale and hearty,  
We need to have a government  
Made up of two parties.

There are times when it is necessary  
For the parties to disagree:  
When their convictions are so different  
That everyone can see.

There are also times  
When the parties must unite  
When their goals are merging,  
And there's no need to fight.

I once officiated  
At a wedding just like that:  
A Republican man was marrying  
A lady Democrat.

At the close of ceremony  
I had to make this quip:  
"This is the ultimate  
In bipartisanship!"

Bipartisanship doesn't require a wedding, O God, but help us to know when it's right to be partisan, and when it's right to be bipartisan.

I pray in the name o Jesus Christ,

AMEN

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following concurrent resolution was introduced and read by title:

SENATE CONCURRENT RESOLUTION No. 1624

By Senators Steineger and D. Schmidt

A CONCURRENT RESOLUTION supporting a Taiwan-United States free trade agreement.

WHEREAS, Taiwan and the United States enjoy one of the most important economic and strategic international relationships; and

WHEREAS, Together, Taiwan and the United States promote a shared faith and respect for freedom, democracy and free market principles; and

WHEREAS, Taiwan and the United States have worked hand-in-hand to preserve peace and stability within the Asia-Pacific region and to help improve the lives of their citizens and people around the world; and

WHEREAS, Trade between Taiwan and the United States has increased significantly during the past decades, with the United States being Taiwan's second largest source of imports and Taiwan being the eighth largest trading partner of the United States; and

WHEREAS, Taiwan is a major trading partner with the United States and also an important overseas market for United States agricultural products, and given the remarkable economic performance of Taiwan and the strong purchasing power of its 23 million people, there are many opportunities to further expand bilateral trade between the United States and Taiwan; and

WHEREAS, Streamlined foreign investment procedures developed under a Taiwan-United States free trade agreement would lead to further investment by firms in both Taiwan and the United States and would create new business opportunities and new jobs; and

WHEREAS, A Taiwan-United States free trade agreement would encourage greater innovations and manufacturing efficiencies by stimulating joint technological development, practical applications and new cooperative ventures; and

WHEREAS, A recent study by the United States International Trade Commission supports the negotiation of a Taiwan-United States free trade agreement to further boost trade between the two countries and serve the broader interests of the United States in the Asia-Pacific region: Now, therefore,

*Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein:* That the Kansas Legislature supports the negotiation of a Taiwan-United States free trade agreement; and

*Be it further resolved:* That the Secretary of the Senate be directed to send an enrolled copy of this resolution to the President of the United States, the United States Secretary of State, the United States Secretary of Commerce, the United States Trade Representative and to each member of the Kansas Congressional Delegation.

**MESSAGE FROM THE HOUSE**

Announcing passage of **HB 2497**.

Passage of **SB 392**, **SB 496**.

**INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS**

**HB 2497** was thereupon introduced and read by title.

**CONSIDERATION OF MOTIONS TO CONCUR OR NONCONCUR**

Senator Umbarger moved the Senate concur in house amendments to **SB 275**.

**SB 275**, An act concerning the secretary of state; relating to fees for certain publications provided by the secretary of state; amending K.S.A. 2005 Supp. 45-107, 75-436, 77-430 and 77-431 and repealing the existing sections.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D,

Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The Senate concurred.

#### CONSIDERATION OF MOTIONS TO CONCUR OR NONCONCUR

On motion of Senator Umbarger the Senate nonconcurred in the House amendments to **SB 62** and requested a conference committee be appointed.

The Vice President appointed Senators Umbarger, Emler and Barone as a conference committee on the part of the Senate.

#### FINAL ACTION ON CONSENT CALENDAR

**SB 574; HB 2574, HB 2757** having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

**SB 574**, An act concerning land conveyance; authorizing the secretary of administration to transfer certain land; amending the property description of such land; amending K.S.A. 2005 Supp. 76-2135 and repealing the existing section.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

**HB 2574**, An act concerning the state board of regents; relating to the disposition of property acquired by devise; amending K.S.A. 74-3254 and repealing the existing section.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

**HB 2757**, An act concerning oil and gas; relating to spill notification.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**SB 569**, An act concerning claims against the state; relating to payment by state agencies for certain personal injuries and property damages or losses authorized; limitations; amending K.S.A. 46-922 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

**SCR 1606**, A proposition to amend section 5 of article 3 of the constitution of the state of Kansas, relating to the selection of justices of the supreme court, was considered on final action.

On roll call, the vote was: Yeas 22, Nays 17, Present and Passing 1, Absent or Not Voting 0.

Yeas: Apple, Barnett, Brownlee, Bruce, Donovan, Gilstrap, Huelskamp, Jordan, Journey, McGinn, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Schmidt D, Schodorf, Taddiken, Umbarger, Wagle, Wilson.

Nays: Allen, Barone, Betts, Brungardt, Emler, Francisco, Goodwin, Haley, Hensley, Kelly, Lee, Morris, Reitz, Schmidt V, Steineger, Vratil, Wysong.

Present and Passing: Teichman.

A two-thirds constitutional majority not having voted in favor of the resolution **SCR 1606** was not adopted.

#### EXPLANATION OF VOTE

MR. VICE PRESIDENT: Those in the Court who bemoan the politization of the Judiciary, need to look in the mirror—they are the individuals who have caused this problem.

Whether school finance, the death penalty, gay rights or property rights, when the Court departs from long established precedent to carry out their policy whims and their radical social agenda, they cannot expect the governed to sit back and do nothing.

As predicted by the authors of this constitutional amendment, there is going to be a backlash on this Court. In addition, I predict there will be a backlash on those elected representatives who stand on the sidelines and allow this Court to usurp their authority.

As an elected State Senator I will do everything within my power to reign in the power of this Court and make them accountable to the voting electorate. I will also work to devise a system of appointment of justices where decisions are not made behind closed doors by the very people who appear before the Court seeking their favor. Our current system reeks of conflict of interest and has led to this constitutional crisis in Kansas where unelected justices are legislating from the bench.—JIM BARNETT

Senators Brownlee, Journey, O'Connor, Palmer request the record to show they concur with the "Explanation of Vote" offered by Senator Barnett on **SCR 1606**.

MR. VICE PRESIDENT: I vote no on **SCR 1606**. I co-sponsored the resolution because I thought it was important to have an opportunity to listen to my constituents, become educated, have a debate, and finally have a vote on the issue.

In the past year nothing has changed my mind regarding this issue. I urge my colleagues to remember the adage—"If it ain't broke, don't fix it."—JIM BARONE

MR. VICE PRESIDENT: All legitimate forms of government must have the consent of those which it governs. Our failure to adhere to this basic of American principles has resulted in an equal branch Kansas' government being selected without any input, either directing, or through elected representation, from the people of our great state.

**SCR 1606** provides the people of Kansas with a say in the process of selecting the Judiciary.

MR. VICE PRESIDENT, I stand behind the people of Kansas and vote aye.—TERRY BRUCE  
Senators Brownlee, Journey, O'Connor, Palmer, Petersen and Pyle request the record to show they concur with the "Explanation of Vote" offered by Senator Bruce on **SCR 1606**.

MR. VICE PRESIDENT: Judicial activism is in the air and the people of Kansas would like to say something about it.

Kansans deserve an accountable, responsive, non-elitist system of government — and this proposed Constitutional Amendment is a small step in that direction.

I trust the people of Kansas — thus I vote "Aye" to allow them to have a say, small as it may be, in how the Kansas Supreme Court is selected.—TIM HUELSKAMP

Senators Journey, O'Connor, Palmer and Pyle request the record to show they concur with the "Explanation of Vote" offered by Senator Huelskamp on **SCR 1606**.

MR. VICE PRESIDENT: Our Constitution wisely assigns both joint and separate roles to each branch of the Government. The power of the Executive, Judicial and Legislative branches of government comes directly from the mutual respect with which each must regard the other.

Voting to make this change could dramatically alter the process and the delicate balance of power in this state. Unless a vacancy occurs during regular session, the proposed change would require the Kansas Senate to go into special session to debate and confirm nominees.

The new process could possibly take **days**, and it could easily degenerate into the kind of partisan fight we see in the United States Senate.

This will not promote the selection of the best and brightest legal minds to our higher courts. We want justices who possess not only the necessary legal knowledge and experience; we want those individuals who have the courage and objectivity to discern and adhere to the rule of law.

I do not believe this amendment sets wise public policy. I do not believe this amendment is in the State's best interest.—STEPHEN R. MORRIS

Senators Betts, Francisco, Haley, Kelly and Lee request the record to show they concur with the "Explanation of Vote" offered by Senator Morris on **SCR 1606**.

MR. VICE PRESIDENT: I listened with great interest to the debate yesterday on this bill. Both sides were eloquent in presenting their supporting and opposing views. No one gave me a compelling reason to support or not support this bill. I asked yesterday for further study on a highly charged issue to include a broader input of interested parties and those that are affected by this change. Until I get a better comfort level with this issue I pass on **SCR 1606**.—RUTH TEICHMAN

I oppose **SCR 1606**. Amending our Constitution to do away with the merit selection system currently used to select Supreme Court Justices is an over-reaction to our discontent with two decisions of a separate and co-equal branch of our state government.

The merit selection system has served Kansas and Kansans well for nearly fifty years! Those who assume that the process used by the United States Senate is a process beyond reproach do not see it for what it is: a circus masquerading as a confirmation process; one fraught with politics, self interest, and agendas. It is not a process that Kansas wants to emulate.

The Supreme Court was designed as an independent branch of our government. It is one of three independent branches which include the executive and legislative branches. The framers of our constitution recognized the need to keep the Judiciary independent and the Legislature in check.—JOHN VRATIL

MR. VICE PRESIDENT: The framers of our constitution never intended for an unelected Court to force sweeping policy changes and social reforms on the governed. Of late, the Kansas Supreme Court has been doing just that as they legislate from the bench. They have enacted broad policy decisions in a vacuum without information or accountability.

They have demanded a massive increase in school funding without taking testimony as to the impact such increases have on other obligations of State government. They have forced a massive increase in payments without seeking deposition from Kansans as to what amount of taxes they can afford. They have demanded increased payments without examining the impact on our economic growth, and the competitiveness of our tax structure when compared to other states.

I stated yesterday, there is a dark cloud hanging over Kansas. It is the Kansas Supreme Court. Their decisions are squeezing the life out of our economy and destroying our political process. There will be a huge price to pay, if we, the elected, shirk our duty, and allow this Court to continue to alter public policy with no consequence from those of us who are elected to make those decisions.—SUSAN WAGLE

Senators Brownlee, Journey, O'Connor and Palmer request the record to show they concur with the "Explanation of Vote" offered by Senator Wagle on **SCR 1606**.

**HB 2118**, An act concerning elections; relating to advance voting; amending K.S.A. 2005 Supp. 25-1122 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed, as amended.

**HB 2562**, An act concerning adoption; relating to home study assessments; amending K.S.A. 59-2132 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

**HB 2592**, An act concerning municipalities; relating to utilities services; amending K.S.A. 12-856 and K.S.A. 2005 Supp. 12-860 and repealing the existing sections; also repealing K.S.A. 2005 Supp. 12-631k, 12-631z, 12-6,124, 14-569 and 19-2765b, was considered on final action.

On roll call, the vote was: Yeas 37, Nays 3, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Goodwin, Hensley, Huelskamp, Jordan, Journey, Kelly, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

Nays: Gilstrap, Haley, Lee.

The bill passed, as amended.

**HB 2606**, An act; concerning crimes, punishment and criminal procedure; relating to theft of services; amending K.S.A. 2005 Supp. 21-3704 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

**HB 2607**, An act concerning trusts; amending K.S.A. 58a-103, 58a-105, 58a-108, 58a-110, 58a-111, 58a-411, 58a-417, 58a-501, 58a-506, 58a-603, 58a-802, 58a-813 and 58a-1008 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

**HB 2665**, An act concerning adoption; relating to the termination of parental rights; amending K.S.A. 59-2136 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

**HB 2703**, An act relating to crimes and punishment; concerning nuclear generating facilities; relating to armed nuclear security guards; amending K.S.A. 2005 Supp. 21-3721 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 37, Nays 2, Present and Passing 1, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Gilstrap, Goodwin, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

Nays: Haley, Steineger.

Present and Passing: Francisco.

The bill passed.

#### EXPLANATION OF VOTE

MR. VICE PRESIDENT: I believe that the intent of **HB 2703** was to create the crime of criminal trespass in or on a nuclear generating facility or within a structure or fenced yard of a nuclear generating facility. The words "and includes the property on which the facility is located" in the definition of nuclear generating facility creates an ambiguous boundary for the enforcement of this crime.—MARCI FRANCISCO

#### REPORTS OF STANDING COMMITTEES

Committee on **Natural Resources** recommends **HB 2716**, as amended by House Committee, be passed.

Committee on **Public Health and Welfare** recommends **HB 2830** be passed.

Also, **HB 2831** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

#### COMMITTEE OF THE WHOLE

On motion of Senator D. Schmidt, the Senate resolved itself into Committee of the Whole for consideration of bills on the calendar under the heading of General Orders with Senator O'Connor in the chair.

On motion of Senator O'Connor the following report was adopted:

Recommended **SB 579**; **HB 2617**, **HB 2626**, **2704**, **HB 2759** be passed.

**HB 2610** be amended by adoption of the committee amendments, and the bill be passed as amended.

**Sub SB 322** be amended by adoption of the committee report recommending a substitute bill.

Senator Journey moved to amend **Sub SB 322**, on page 4, in line 9, after "second" by inserting "or subsequent"; by striking all in lines 14 through 27

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 22, Nays 17, Present and Passing 0, Absent or Not Voting 1.

Yeas: Barnett, Barone, Betts, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Haley, Hensley, Jordan, Journey, Kelly, Lee, O'Connor, Ostmeyer, Petersen, Pine, Reitz, Steineger, Wagle.

Nays: Allen, Apple, Brownlee, Goodwin, Huelskamp, Morris, Palmer, Pyle, Schmidt D, Schmidt V, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wilson, Wysong.

Absent or Not Voting: McGinn.

The motion carried and the amendment was adopted.

The Committee recommended **Sub SB 322** be passed as amended.

#### FINAL ACTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator D. Schmidt an emergency was declared by a  $\frac{2}{3}$  constitutional majority, and **Sub SB 322**, **SB 579**; **HB 2610**, **HB 2617**, **HB 2626**, **HB 2704**, **HB 2759** were advanced to Final Action and roll call.

**Sub SB 322**, An act relating to the Kansas automobile injury reparations act; concerning certain penalties; amending K.S.A. 40-3104 and repealing the existing section.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The substitute bill passed, as amended.

**SB 579**, An act authorizing the state board of regents to convey certain real estate.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

**HB 2610**, An act concerning civil procedure; relating to service outside the state; jurisdiction; amending K.S.A. 60-308 and repealing the existing section.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed, as amended.

**HB 2617**, An act concerning crimes and punishment; relating to violation of a protective order; amending K.S.A. 2005 Supp. 21-3843 and repealing the existing section.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

**HB 2626**, An act relating to missing and unidentified persons; amending K.S.A. 75-712b, 75-712c and 75-712d and repealing the existing sections.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

**HB 2704**, An act relating to the small claims procedures act; concerning the number of actions filed in a calendar year; amending K.S.A. 61-2704 and repealing the existing section.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

**HB 2759**, An act concerning cities; relating to the limitation of bonded indebtedness; amending K.S.A. 10-308 and repealing the existing section.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

On motion of Senator D. Schmidt the Senate adjourned until 9:30 p.m., Friday, March 10, 2006.

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

PAT SAVILLE, *Secretary of the Senate*.

