

Journal of the Senate

TWENTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 12, 2001—2:30 p.m.

The Senate was called to order by President Dave Kerr.

The roll was called with thirty-nine senators present.

Senator Schodorf was excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

A hundred and ninety-two years ago
Our sixteenth president was born
In a little old log cabin,
And his future looked forlorn.

His name, of course, was Lincoln,
And it seems it is now clear
His formal education
Amounted to one year!

But Lincoln had an abiding love
For books of any kind,
And most of his spare time was spent
Enriching his hungry mind.

He failed in business and politics,
But he didn't know how to quit.
And he's become a paragon
Of what we call "true grit".

In fact, many politicians
Have his picture in their shop
To remind them that it's possible
For anyone to reach the top.

He was known as Honest Abe,
And he kept his reputation,
Until today he has become
A statesman's inspiration.

So I pray each legislator
Will be an imitator
Of the man who saved the union
As the Great Emancipator.

I pray in Jesus' Name,

AMEN

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 308, An act concerning agriculture; enacting the Kansas producer protection act; prescribing penalties for violations thereof, by Committee on Ways and Means.

SB 309, An act authorizing the state historical society to accept conveyance of certain real property on behalf of the state, by Committee on Ways and Means.

SB 310, An act repealing K.S.A. 2000 Supp. 65-6721; concerning partial birth abortion, by Committee on Federal and State Affairs.

SB 311, An act relating to city retailers' sales tax rates; amending K.S.A. 2000 Supp. 12-187 and 12-189 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 312, An act relating to school finance; providing revenue therefor by increasing tax rates imposed upon alcoholic liquor and cereal malt beverages; amending K.S.A. 41-501, 79-4101, 79-4108, 79-41a02 and 79-41a03 and repealing the existing sections, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 299** (separately).

Commerce: **SB 306, SB 307**.

Judiciary: **SB 300, SB 301, SB 302, SB 303**.

Public Health and Welfare: **SB 305**.

Utilities: **SB 299** (separately).

Ways and Means: **SB 304**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2034, HB 2105**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2034, HB 2105 were thereupon introduced and read by title.

REMOVE FROM CONSENT CALENDAR

An objection having been made to **HB 2022** appearing on the Consent Calendar, the President directed the bill be removed and placed on the calendar under the heading of General Orders.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 216, SB 252, SB 253** be passed.

Also **SB 35** be amended on page 2, in line 9, after "purchase" by inserting, ", during the period of time beginning with the date of purchase of such vehicle and ending on December 31 of the next succeeding calendar year,"; and the bill be passed as amended.

Committee on **Elections and Local Government** recommends **SB 62** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL NO. 62," as follows:

"Substitute for SENATE BILL No. 62

By Committee on Elections and Local Government

"AN ACT relating to public officers; enacting the constitutional awareness act."; and the substitute bill be passed.

Also **SB 63** be amended on page 3 after line 26, by inserting the following:

"(i) No application for voter registration shall be made available for public inspection or copying unless the information required by paragraph (5) of subsection (b) has been removed or otherwise rendered unreadable.

Sec. 2. K.S.A. 25-2320 is hereby amended to read as follows: 25-2320. (a) The county election officer shall allow access to any person at any time during regular business hours, under supervision of the county election officer for the purpose of examining the voter

registration books. Any person may make a written request for a copy of the registration books at any time except on any election day. The election officer is hereby directed to provide one or more copies which are accurate insofar as practicable of such books to the person so requesting. The election officer shall provide such copies to the person within 10 days following the request if so requested. The expense of making such copies shall be paid by the person requesting them. The cost of copies shall be established by the county election officer at a price which is not more than the actual cost and shall be set uniformly in order that the price therefor shall be the same for all persons requesting identical copies.

(b) No voter registration record shall be made available for public inspection or copying unless the individual's social security number, or any part thereof, has been removed or otherwise been rendered unreadable.”;

And by renumbering the remaining sections accordingly;

Also on page 3, in line 27, by striking “is” and inserting “and 25-2320 are”;

In the title, in line 10, after “25-2309” by inserting “and 25-2320”; also in line 10, by striking “section” and inserting “sections”; and the bill be passed as amended.

SB 127 be amended on page 2, in line 22, after “Kansas” by inserting “and has the qualifications of an elector in the state of Kansas”;

On page 6, in line 7, after “Kansas” by inserting “and has the qualifications of an elector in the state of Kansas”;

On page 11, by striking lines 11 through 13;

Also on page 11, after line 13, by inserting a new section which reads as follows:

“Sec. 6. K.S.A. 25-2316c is hereby amended to read as follows: 25-2316c. (a) When a registered voter changes name by marriage, divorce or legal proceeding, if such voter is otherwise qualified to vote at such voting place such voter shall be allowed to vote a provisional ballot at any election, or apply for an advance voting ballot, on the condition that such voter first completes the application for registration prescribed by K.S.A. 25-2309, and amendments thereto. Completion of the application shall authorize the county election officer to update the registration records, if appropriate, for voting in future elections. The county election officer shall send, by nonforwardable mail, a notice of disposition to any voter completing such application.

(b) When a registered voter changes residence, such voter shall reregister in order to be eligible to vote, except that when a registrant has moved from an address on the registration book to another address within the county and has not reregistered, such registrant shall be allowed to vote a provisional ballot at any election, or to apply for an advance voting ballot, on the condition that such registrant first completes the application for registration prescribed by K.S.A. 25-2309, and amendments thereto. Completion of the application shall authorize the county election officer to update the registration record, if appropriate, for voting in future elections. The county election officer shall send, by nonforwardable mail, a notice of disposition to any such voter. Whenever the county election officer receives from any other election officer a notice of registration of a voter in a different place than that shown in the records of the county election officer, such officer shall remove the name of such voter from the registration book and party affiliation list.

(c) Every application for registration completed under this section shall be returned to the county election officer with the registration books.

(d) A registrant shall not be removed from the registration list on the ground that the registrant has changed residence unless the registrant:

(1) Confirms in writing that the registrant has moved outside the county in which the registrant is registered, or registers to vote in any other jurisdiction; or

(2) has failed to respond to the notice described in subsection (e) and has not appeared to vote in an election during the period beginning on the date of the notice and ending on the day after the date of the second federal general election that occurs after the date of the notice.

(e) A county election officer shall send a confirmation notice upon which a registrant may state such registrant's current address, within 45 days of the following events:

(1) A notice of disposition of an application for voter registration is returned as undeliverable;

(2) change of address information supplied by the National Change of Address program identifies a registrant whose address may have changed;

(3) if it appears from information provided by the postal service that a registrant has moved to a different residence address in the county in which the registrant is currently registered; or

(4) if it appears from information provided by the postal service that a registrant has moved to a different residence address outside the county in which the registrant is currently registered.

The confirmation notice shall be sent by forwardable mail and shall include a postage prepaid and preaddressed return card in a form prescribed by the chief state election official.

(f) Except as otherwise provided by law, when a voter dies or is disqualified for voting, the registration of the voter shall be void, and the county election officer shall remove such voter's name from the registration books and the party affiliation lists. Whenever (1) an obituary notice appears in a newspaper having general circulation in the county reports the death of a registered voter, or (2) a registered voter requests in writing that such voter's name be removed from registration, or (3) a court of competent jurisdiction orders removal of the name of a registered voter from registration lists, or (4) the name of a registered voter appears on a list of deceased residents compiled by the secretary of health and environment as provided in K.S.A. 65-2422, and amendments thereto, or appears on a copy of a death certificate provided by the secretary of health and environment, *or appears in information provided by the social security administration*, the county election officer shall remove from the registration books and the party affiliation lists in such officer's office the name of any person shown by such list or death certificate to be deceased. The county election officer shall not use or permit the use of such lists of deceased residents or copies for any other purpose than provided in this section.

(g) When the chief state election official receives written notice of a felony conviction in a United States district court, such official shall notify within five days the county election officer of the jurisdiction in which the offender resides. Upon notification of a felony conviction from the chief state election official, or from a county or district attorney or a Kansas district court, the county election officer shall remove the name of the offender from the registration records.

(h) Except as otherwise provided in this section, no person whose name has been removed from the registration books shall be entitled to vote until such person has registered again.”;

By renumbering the remaining sections accordingly;

On page 14, in line 22, after “25-2309,” by inserting “25-2316c,”

In the title, in line 10, after “25-2309,” by inserting “25-2316c,” and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 119**, **SB 139** be passed.

Committee on **Natural Resources** recommends **SB 37** be amended on page 1, by striking all in lines 26 through 32; in line 33, by striking “(e)” and inserting “(d)”; in line 36, by striking “(f)” and inserting “(e)”; in line 39, by striking “(g)” and inserting “(f)”;

On page 2, in line 10, by striking “(h)” and inserting “(g)”; in line 14, by striking “(i)” and inserting “(h)”; and the bill be passed as amended.

Also **SB 148** be amended on page 5, in line 25, by striking “statute book” and inserting “Kansas register”; and the bill be passed as amended.

Committee on **Utilities** recommends **SCR 1607** be amended in line 28, by striking the period and inserting “; and” and the concurrent resolution be adopted as amended.

Committee on **Ways and Means** recommends **HB 2016** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Also **SB 213** be amended on page 1, in line 13, by striking all after “with”; in line 14, by striking all before “for” and inserting: “accredited schools of dentistry”; in line 20, by striking “statute book” and inserting “Kansas register”;

In the title, in line 9, by striking “the” where it appears for the last time; in line 10, by striking all before the period and inserting: “accredited schools of dentistry”; and the bill be passed as amended.

REPORT ON ENROLLED BILLS

SR 1816 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 12, 2001.

On motion of Senator Oleen the Senate adjourned until 2:30 p.m., Tuesday, February 13, 2001.

HELEN A. MORELAND, *Journal Clerk.*

PAT SAVILLE, *Secretary of Senate.*

