

Journal of the Senate

TWENTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 13, 2001—2:30 p.m.

The Senate was called to order by President Dave Kerr.

The roll was called with forty senators present.

President Kerr introduced as guest chaplain, Colonel Terry L. Murray, the State Chaplain for the Kansas Army National Guard.

The Pledge of Allegiance was led by Brigadier General Jonathan Small, Assistant Adjutant General, Army, Kansas Army National Guard.

In observance of Armed Forces Appreciation Day at the Capitol, guests introduced by President Kerr were Brigadier General Jonathan Small, Assistant Adjutant General for Army, Kansas National Guard; Lt. General (ret.) Robert Arter; Dean of Retired Officer Corps in Kansas, Leavenworth; Colonel Philip Waring, Commander, 22nd Logistics Group, McConnell Air Force Base; Colonel Franklin Bohle, Garrison Commander, Fort Leavenworth; Lt. Colonel Gary Heer, Deputy Engineer/Chief of Staff, Army Corps of Engineers, Kansas City District; John Montgomery, Junction City, Chairman of the Governor's Military Affairs Coordinating Council; Fred Schwien, Deputy Secretary Kansas Department of Commerce and Housing; Dean Campbell, Manhattan, GMACC Member; Anderson Chandler, Topeka, GMACC Member; Bob Dool, Wichita, GMACC Member; Colonel Rufas Forrest, Commander, 190th Aerial Refueling Wing.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 313, An act concerning school districts; authorizing boards of education to adopt policies providing for school days and school hours in addition to school days and school hours scheduled for the regular school term; amending K.S.A. 72-1106 and repealing the existing section, by Committee on Ways and Means.

SB 314, An act concerning the Kansas highway patrol; relating to restrictions on certain political activity; amending K.S.A. 74-2113 and repealing the existing section, by Committee on Ways and Means.

SB 315, An act concerning the use of state gaming revenues; amending K.S.A. 2000 Supp. 79-4804 and repealing the existing section, by Committee on Federal and State Affairs.

SB 316, An act concerning economic development; relating to state gaming revenues and the use thereof; amending K.S.A. 79-4801 and repealing the existing section, by Committee on Federal and State Affairs.

SB 317, An act concerning the lottery and lottery machines; amending K.S.A. 74-8702 and 74-8722 and K.S.A. 2000 Supp. 74-8710, 74-8718 and 79-4701 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 318, An act increasing the rate of taxation imposed upon cigarettes and tobacco products and providing for the disposition of revenue received therefrom; amending K.S.A. 79-3310, 79-3311, 79-3312, 79-3371 and 79-3378 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 319, An act enacting the Kansas freedom of choice in long-term care, service and support, by Committee on Federal and State Affairs.

SB 320, An act concerning sales tax; providing for rebates to certain not-for-profit corporations, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **SB 308**.

Assessment and Taxation: **SB 311, SB 312**.

Commerce: **HB 2034**.

Federal and State Affairs: **SB 310; HB 2105**.

Ways and Means: **SB 309**.

MESSAGE FROM THE GOVERNOR

February 8, 2001

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Directive No. 01-306 for your information.

Sincerely,

Bill Graves
Governor

The President announced Executive Directive No. 01-306, Authorizing a Personnel Transaction, 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 2063, HB 2082, HB 2084, HB 2143, HB 2178, HB 2184, HB 2188, HB 2194, HB 2208**.

Passage of **SB 18**, as amended.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2063, HB 2082, HB 2084, HB 2143, HB 2178, HB 2184, HB 2188, HB 2194, HB 2208 were thereupon introduced and read by title.

FINAL ACTION ON CONSENT CALENDAR

SB 60, SB 66 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

SB 60. An act concerning agricultural data; repealing K.S.A. 74-504d.

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

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed.

SB 66. An act concerning children in need of care; technical amendment; amending K.S.A. 38-1507 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: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **SB 163** be passed.

Also **SB 257** be amended on page 1, following line 37, by inserting a new section as follows:

“Sec. 2. K.S.A. 72-8205 is hereby amended to read as follows: 72-8205. (a) The board *of education* shall meet at least once each month. At some time during the month of July of each year, the board shall adopt a resolution specifying a regular meeting time of the board and such resolution shall specify the regular hour of commencement of the meeting, as well as the day of the week and the week of the month. Such resolution shall also provide that if the regular meeting date occurs on a Sunday or on a legal holiday or on a holiday specified by the board, such regular meeting shall be held on the day following commencing at the same hour. Such resolution shall also specify the regular meeting place of the board and may specify that any regular meeting may be adjourned to another time and place. Special meetings may be called at any time by the president of the board or by joint action of any three members thereof. Written notice, stating the time and place of any special meeting and the purpose for which called, shall, unless waived, be given each member of the board at least two days in advance of the special meeting and no business other than that stated in the notice shall be transacted at such meeting. A majority of the full membership of the board shall constitute a quorum for the purpose of conducting any business of the school district, and the vote of a majority of the full membership of the board shall be required for the passage of any motion or resolution. Any member who abstains from voting shall be counted as having voted against the motion or resolution. If a member announces a conflict of interest with regard to the issue, the member may leave the meeting until the voting on the issue is concluded and the member who abstains from voting thereby shall not be counted as having voted.

(b) Except as otherwise provided in the unification acts, the board *of education* shall have and may exercise the same powers and authorities as were immediately prior to this act conferred uniformly upon boards of education in cities of the first class; and, in addition thereto, the powers and authority expressly conferred by law.

(c) The board *of education* shall have authority to prescribe courses of study for each year of the school program and provide rules and regulations for teaching in the school district and general government thereof, and to approve and adopt suitable textbooks and study material for use therein subject to the plans, methods, rules and regulations formulated and recommended by the state board of education.

(d) The board *of education* may provide legal counsel at district expense to any members of the board of education, or school district officers or employees who are sued in situations relating to and arising out of the performance of their office or employment. No teacher or other employment contract shall make reference to or incorporate the provisions of this subsection, nor shall the provisions of this subsection be construed as any part of the consideration of employment of any teacher, officer or other employee of the board.

(e) (1) *The board of education may transact all school district business and adopt policies that the board deems appropriate to perform its constitutional duty to maintain, develop and operate local public schools.*

(2) *The power and authority conferred on school districts by this subsection shall not be construed to relieve any other unit of government of its duties and responsibilities which are prescribed by law, nor to create any responsibility on the part of a school district to assume the duties or responsibilities which are required of another unit of government.*

(3) *School districts shall exercise the powers of local control conferred by this subsection by resolution of the board of education.”;*

By renumbering sections 2 and 3 as sections 3 and 4, respectively;

Also on page 1, in line 38, by striking “is” and inserting “and 72-8205 are”;

In the title, in line 11, after the semicolon, by inserting “conferring the power of local control on boards of education;”; also in line 11, after “72-8201”, by inserting “and 72-8205”; in line 12, by striking “section” and inserting “sections”; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 22** be amended on page 1, by striking all in line 22 and inserting:

“Sec. 2. K.S.A. 74-8706 is hereby amended to read as follows: 74-8706. The executive director shall have the duty to:

(a) Make and keep books and records which accurately and fairly reflect each day’s transactions, including but not limited to: The distribution of tickets and shares to lottery retailers; receipt of funds, prize claims, prize disbursements made by the Kansas lottery or otherwise or prizes liable to be paid by the Kansas lottery; expenses and other financial transactions of the Kansas lottery necessary so as to permit daily accountability.

(b) Make quarterly and annual financial reports to the commission, the governor, the state treasurer and the legislature. Such reports shall be based upon generally accepted accounting principles and include a full and complete statement of lottery revenues, prize disbursements, expenses, net revenues and other financial transactions for the reporting period.

(c) Make available for inspection by the commission, upon request, all books, records, files and other information and documents of the Kansas lottery.

~~(d) Engage, in accordance with K.S.A. 74-8705 and amendments thereto, an independent firm experienced in security procedures, including but not limited to computer security and systems security, to periodically conduct a comprehensive study and evaluation of all aspects of security in the operation of the Kansas lottery.~~

~~(e) (d) Engage, in accordance with K.S.A. 74-8705, and amendments thereto, an independent firm experienced in marketing research and analysis to periodically conduct an evaluation to determine the effectiveness of marketing, promotion and public information programs used by the Kansas lottery and make recommendations which will enhance such programs.~~

~~(f) (e) Prepare and submit budgets and proposals for the operation of the Kansas lottery.~~

~~(g) (f) Operate the Kansas lottery in such a manner that, after the initial state appropriation, it is self-sustaining and self-funded.~~

~~(h) (g) Make available at the point of sale of any lottery tickets or shares a list of the odds of winning such game, based upon the number of tickets or shares projected to be sold.~~

~~(i) (h) Make provision for the timely and efficient transfer of funds due from lottery retailers to the lottery operating fund, including the use of electronic funds transfers whenever possible.~~

Sec. 3. K.S.A. 2000 Supp. 74-8707 is hereby amended to read as follows: 74-8707. (a) The accounts and transactions of the Kansas lottery and the Kansas lottery commission shall be subject to an annual financial-compliance audit, and such other audits as directed by the legislative post audit committee, under the legislative post audit act. The annual audit shall be conducted as soon after the close of the fiscal year as practicable. The auditor to conduct this audit work shall be specified in accordance with K.S.A. 46-1122, and amendments thereto. If the legislative post audit committee specifies under such statute that a firm, as defined by K.S.A. 46-1112, and amendments thereto, is to perform all or part of such audit work, such firm shall be selected and shall perform such audit work as provided in K.S.A. 46-1123, and amendments thereto, and K.S.A. 46-1125 through 46-1127, and amendments thereto.

The post auditor shall ~~annually~~ compute *annually* the reasonably anticipated cost of providing audits pursuant to this ~~section subsection~~, subject to review and approval by the contract audit committee established by K.S.A. 46-1120, and amendments thereto. Upon such approval, the Kansas lottery shall reimburse the division of post audit for the amount approved by the contract audit committee. The furnishing of audit services pursuant to this ~~section subsection~~ shall be a transaction between the post auditor and the Kansas lottery and shall be settled in accordance with the provisions of K.S.A. 75-5516, and amendments thereto.

(b) *On or before December 31, 2004, and at least once every three years thereafter, there shall be conducted a security audit of the Kansas lottery. A security audit shall include a comprehensive study and evaluation of all aspects of security in the operation of the Kansas lottery. The auditor to conduct a security audit shall be specified in accordance with K.S.A.*

46-1122, and amendments thereto. If the legislative post audit committee specifies under such statute that a person, as defined by K.S.A. 46-1112, and amendments thereto, other than the post auditor is to perform all or part of such audit work, such person shall be selected and shall perform such audit work as provided in the applicable provisions of K.S.A. 46-1123, and amendments thereto, and K.S.A. 46-1125 through 46-1127, and amendments thereto. The person selected to perform a security audit shall be experienced in security procedures, including, but not limited to, computer and systems security. A contract to conduct a security audit required by this subsection, shall be considered a major procurement contract as defined by K.S.A. 74-8702, and amendments thereto, and shall not be awarded until a background investigation is conducted on the person or firm selected to perform the audit. Such background investigation shall be subject to the requirements of subsection (c) of K.S.A. 74-8705, and amendments thereto.

For the purpose of conducting a security audit under this subsection, a person or a firm selected to perform the security audit shall not be limited to a legal entity permitted by law to engage in practice as a certified public accountant.

The post auditor shall compute the reasonably anticipated cost of providing audits pursuant to this subsection, subject to review and approval by the contract audit committee established by K.S.A. 46-1120, and amendments thereto. Upon such approval, the Kansas lottery shall reimburse the division of post audit for the amount approved by the contract audit committee. The furnishing of audit services pursuant to this subsection shall be a transaction between the post auditor and the Kansas lottery and shall be settled in accordance with the provisions of K.S.A. 75-5516, and amendments thereto.

Sec. 4. K.S.A. 74-8706 and K.S.A. 2000 Supp. 74-8707 and 74-8723 are hereby repealed.”;

By renumbering sections accordingly;

In the title, in line 10, by striking all after “K.S.A.”; in line 11, by striking all before the period and inserting “74-8706 and K.S.A. 2000 Supp. 74-8707 and 74-8723 and repealing the existing sections”; and the bill be passed as amended.

Also **HB 2038**, as amended by House Committee of the Whole, be amended on page 1, by striking all after line 30;

By striking all on pages 2 through 9;

On page 10, by striking all in lines 1 through 31 and inserting:

“Sec. 2. K.S.A. 74-8706 is hereby amended to read as follows: 74-8706. The executive director shall have the duty to:

(a) Make and keep books and records which accurately and fairly reflect each day’s transactions, including but not limited to: The distribution of tickets and shares to lottery retailers; receipt of funds, prize claims, prize disbursements made by the Kansas lottery or otherwise or prizes liable to be paid by the Kansas lottery; expenses and other financial transactions of the Kansas lottery necessary so as to permit daily accountability.

(b) Make quarterly and annual financial reports to the commission, the governor, the state treasurer and the legislature. Such reports shall be based upon generally accepted accounting principles and include a full and complete statement of lottery revenues, prize disbursements, expenses, net revenues and other financial transactions for the reporting period.

(c) Make available for inspection by the commission, upon request, all books, records, files and other information and documents of the Kansas lottery.

~~(d) Engage, in accordance with K.S.A. 74-8705 and amendments thereto, an independent firm experienced in security procedures, including but not limited to computer security and systems security, to periodically conduct a comprehensive study and evaluation of all aspects of security in the operation of the Kansas lottery.~~

~~(e) (d) Engage, in accordance with K.S.A. 74-8705, and amendments thereto, an independent firm experienced in marketing research and analysis to periodically conduct periodically an evaluation to determine the effectiveness of marketing, promotion and public information programs used by the Kansas lottery and make recommendations which will enhance such programs.~~

⊕ (e) Prepare and submit budgets and proposals for the operation of the Kansas lottery.

~~(g)~~ (f) Operate the Kansas lottery in such a manner that, after the initial state appropriation, it is self-sustaining and self-funded.

~~(h)~~ (g) Make available at the point of sale of any lottery tickets or shares a list of the odds of winning such game, based upon the number of tickets or shares projected to be sold.

~~(i)~~ (h) Make provision for the timely and efficient transfer of funds due from lottery retailers to the lottery operating fund, including the use of electronic funds transfers whenever possible.

Sec. 3. K.S.A. 2000 Supp. 74-8707 is hereby amended to read as follows: 74-8707. (a) The accounts and transactions of the Kansas lottery and the Kansas lottery commission shall be subject to an annual financial-compliance audit, and such other audits as directed by the legislative post audit committee, under the legislative post audit act. The annual audit shall be conducted as soon after the close of the fiscal year as practicable. The auditor to conduct this audit work shall be specified in accordance with K.S.A. 46-1122, and amendments thereto. If the legislative post audit committee specifies under such statute that a firm, as defined by K.S.A. 46-1112, and amendments thereto, is to perform all or part of such audit work, such firm shall be selected and shall perform such audit work as provided in K.S.A. 46-1123, and amendments thereto, and K.S.A. 46-1125 through 46-1127, and amendments thereto.

The post auditor shall ~~annually~~ compute *annually* the reasonably anticipated cost of providing audits pursuant to this ~~section subsection~~, subject to review and approval by the contract audit committee established by K.S.A. 46-1120, and amendments thereto. Upon such approval, the Kansas lottery shall reimburse the division of post audit for the amount approved by the contract audit committee. The furnishing of audit services pursuant to this ~~section subsection~~ shall be a transaction between the post auditor and the Kansas lottery and shall be settled in accordance with the provisions of K.S.A. 75-5516, and amendments thereto.

(b) *On or before December 31, 2004, and at least once every three years thereafter, there shall be conducted a security audit of the Kansas lottery. A security audit shall include a comprehensive study and evaluation of all aspects of security in the operation of the Kansas lottery. The auditor to conduct a security audit shall be specified in accordance with K.S.A. 46-1122, and amendments thereto. If the legislative post audit committee specifies under such statute that a person, as defined by K.S.A. 46-1112, and amendments thereto, other than the post auditor is to perform all or part of such audit work, such person shall be selected and shall perform such audit work as provided in the applicable provisions of K.S.A. 46-1123, and amendments thereto, and K.S.A. 46-1125 through 46-1127, and amendments thereto. The person selected to perform a security audit shall be experienced in security procedures, including, but not limited to, computer and systems security. A contract to conduct a security audit required by this subsection, shall be considered a major procurement contract as defined by K.S.A. 74-8702, and amendments thereto, and shall not be awarded until a background investigation is conducted on the person or firm selected to perform the audit. Such background investigation shall be subject to the requirements of subsection (c) of K.S.A. 74-8705, and amendments thereto.*

For the purpose of conducting a security audit under this subsection, a person or a firm selected to perform the security audit shall not be limited to a legal entity permitted by law to engage in practice as a certified public accountant.

The post auditor shall compute the reasonably anticipated cost of providing audits pursuant to this subsection, subject to review and approval by the contract audit committee established by K.S.A. 46-1120, and amendments thereto. Upon such approval, the Kansas lottery shall reimburse the division of post audit for the amount approved by the contract audit committee. The furnishing of audit services pursuant to this subsection shall be a transaction between the post auditor and the Kansas lottery and shall be settled in accordance with the provisions of K.S.A. 75-5516, and amendments thereto.

Sec. 4. K.S.A. 74-8706 and K.S.A. 2000 Supp. 74-8707 and 74-8723 are hereby repealed.”;

By renumbering sections accordingly;

In the title, by striking all in lines 15 through 20, and inserting:

“AN ACT concerning the Kansas lottery; amending K.S.A. 74-8706 and K.S.A. 2000 Supp. 74-8707 and 74-8723 and repealing the existing sections.”; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **SB 101** be passed.
Committee on **Public Health and Welfare** recommends **SB 160** be passed.

Also **SB 212** 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 on **Transportation** recommends **SB 73** be passed.

REPORT ON ENGROSSED BILLS

SB 3, SB 4, SB 57, SB 78, SB 133; SCR 1605 reported correctly engrossed February 9, 2001.

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 Pugh in the chair.

On motion of Senator Pugh the following report was adopted:

Recommended that **SB 47, SB 74, SB 98, SB 119, SB 253; HB 2022** be passed.

SB 35, SB 37, SB 63, SB 97, SB 125, SB 148, SB 213, SB 242 be amended by adoption of the committee amendments, and the bills be passed as amended.

SCR 1607 be amended by adoption of the committee amendments, and the concurrent resolution be adopted as amended.

SB 107 be amended by adoption of the committee amendments, be further amended by motion of Senator Clark on page 2, line 2, by inserting a comma (,) after the word “ordinance” and a comma (,) after the word “resolution” and **SB 107** be passed as further amended.

SB 115 be amended by adoption of the committee amendments, be further amended by motion of Senator Donovan on page 1, in line 32, by striking “motor vehicle” and inserting “bus”; in line 43, by striking “motor vehicle” and inserting “bus”;

On page 2, in line 1, by striking “provider” and inserting “facility”; also in line 1, by striking “Kansas” and inserting: “the Kansas department of health and environment”

Senator Donovan further amended **SB 115** on page 1, in line 16, by striking “subsection (b)” and inserting “subsections (b) and (c)”; after line 29, by inserting the following:

“(c) Any not-for-profit organization, purchasing a used school bus under subsection (a), shall not be required to repaint such bus.”, and **SB 115** be passed as further amended.

SB 139, SB 252 be passed over and retain a place on the calendar.

FINAL ACTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Oleen an emergency was declared by a $\frac{2}{3}$ constitutional majority, and **SB 35, SB 37, SB 47, SB 63, SB 74, SB 97, SB 98, SB 107, SB 115, SB 119, SB 125, SB 148, SB 213, SB 242, SB 253; SCR 1607; HB 2022** were advanced to Final Action and roll call.

SB 35, An act concerning motor vehicle fuels; relating to tax credits; amending K.S.A. 2000 Supp. 79-32,201 and repealing the existing section.

On roll call, the vote was: Yeas 38, Nays 1, Present and Passing 0, Absent or Not Voting 1.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Teichman, Tyson, Umbarger, Vratil, Wagle.

Nays: O'Connor.

Absent or Not Voting: Taddiken.

The bill passed, as amended.

SB 37, An act prohibiting sales of certain motor-vehicle fuel and providing penalties for violations.

On roll call, the vote was: Yeas 38, Nays 1, Present and Passing 0, Absent or Not Voting 1.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Teichman, Tyson, Umbarger, Wagle.

Nays: Vratil.

Absent or Not Voting: Taddiken.

The bill passed, as amended.

SB 47, An act concerning elections; relating to objections; amending K.S.A. 25-308 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: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed.

SB 63, An act concerning elections; relating to the registration of voters; amending K.S.A. 25-2309 and 25-2320 and repealing the existing sections.

On roll call, the vote was: Yeas 28, Nays 12, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Brownlee, Brungardt, Donovan, Downey, Emler, Gilstrap, Gooch, Goodwin, Haley, Jackson, Jenkins, Jordan, Kerr, Morris, O'Connor, Oleen, Praeger, Salmans, Schmidt, Schodorf, Steineger, Teichman, Umbarger, Vratil, Wagle.

Nays: Barone, Clark, Corbin, Feleciano, Harrington, Hensley, Huelskamp, Lee, Lyon, Pugh, Taddiken, Tyson.

The bill passed, as amended.

SB 74, An act concerning certain law enforcement officers of the state and certain political subdivisions thereof; concerning Native American Indian tribal law enforcement officers.

On roll call, the vote was: Yeas 38, Nays 2, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jenkins, Jordan, Kerr, Lee, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

Nays: Jackson, Lyon.

The bill passed.

SB 97, An act concerning the signing of certain documents issued or made by the governor; amending K.S.A. 75-106 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: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 98, An act concerning publication of proclamations issued by the governor; amending K.S.A. 64-103 and repealing the existing section.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Teichman, Tyson, Umbarger, Vratil, Wagle.

Absent or Not Voting: Taddiken.

The bill passed.

SB 107, An act concerning elections; relating to petitions; amending K.S.A. 25-3601 and 25-3602 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: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 115, An act relating to school buses; modification of used school buses; amending K.S.A. 72-8313 and K.S.A. 2000 Supp. 8-1730a and repealing the existing sections.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Teichman, Tyson, Umbarger, Vratil, Wagle.

Absent or Not Voting: Taddiken.

The bill passed, as amended.

SB 119, An act concerning mental health; relating to screenings and placements; amending K.S.A. 22-3302, 22-3303, 22-3429, 22-3430, 38-1513, 38-1514, 38-1614, 38-1637, 38-1638, 38-1639 and 38-1662 and K.S.A. 2000 Supp. 22-3305 and 22-3431 and repealing the existing sections.

On roll call, the vote was: Yeas 38, Nays 1, Present and Passing 0, Absent or Not Voting 1.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Teichman, Tyson, Umbarger, Vratil, Wagle.

Nays: O'Connor.

Absent or Not Voting: Taddiken.

The bill passed.

SB 125, An act concerning elections; relating to technical clean up amendments; amending K.S.A. 25-205, 25-213, 25-413, 25-611, 25-616, 25-618, 25-3102 and 25-3801 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: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 148, An act concerning fishing licenses; amending K.S.A. 32-906 and 32-988 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: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 213, An act relating to the state board of regents; concerning seats in accredited schools of dentistry.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Teichman, Tyson, Umbarger, Vratil, Wagle.

Absent or Not Voting: Taddiken.

The bill passed, as amended.

SB 242, An act concerning tobacco; relating to requirements for sale of cigarettes; amending K.S.A. 2000 Supp. 50-6a02 and 50-6a03 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: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 253, An act relating to sales taxation; concerning the timing of collection of local sales taxes; amending K.S.A. 12-191 and K.S.A. 2000 Supp. 12-189 and repealing the existing sections.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Teichman, Tyson, Umbarger, Vratil, Wagle.

Absent or Not Voting: Taddiken.

The bill passed.

SCR 1607, A concurrent resolution urging the United States government to establish a federal energy policy.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Teichman, Tyson, Umbarger, Vratil, Wagle.

Absent or Not Voting: Taddiken.

The resolution was adopted, as amended.

HB 2022, An act concerning retirement; relating to the Kansas public employees retirement system; investment standards; amending K.S.A. 2000 Supp. 74-4921 and repealing the existing section.

On roll call, the vote was: Yeas 39, Nays 0, Present and Passing 0, Absent or Not Voting 1.

Yeas: Adkins, Allen, Barnett, Barone, Brownlee, Brungardt, Clark, Corbin, Donovan, Downey, Emler, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Harrington, Hensley, Huelskamp, Jackson, Jenkins, Jordan, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Teichman, Tyson, Umbarger, Vratil, Wagle.

Absent or Not Voting: Taddiken.

The bill passed.

On motion of Senator Oleen the Senate adjourned until 2:30 p.m., Wednesday, February 14, 2001.

HELEN A. MORELAND, *Journal Clerk*.

PAT SAVILLE, *Secretary of Senate*.

