

Journal of the Senate

THIRTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 20, 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 Jordan was excused.

President Kerr introduced as guest chaplain, Rev. John Stoneking, Highland Park Methodist Church, Topeka, Kansas, who delivered the invocation:

We come together as individuals with different experience, backgrounds, and agendas and yet we long for a common vision. We come together from different parts of our state and yet we long to be Kansans together. We come together representing different constituencies and yet we long to represent all the people. O God of creative presence in all our history, we turn our minds and hearts to you in confession of our perspective that is turned inward that puts politics before people. We recognize the difficulty of making public decisions as free women and men based on new possibilities of caring, support, and growth.

We are reminded, Faithful Shepherd that we are not alone in our struggles. When we make decisions regarding children, education, the poor, roads, taxes and all the complex inter-related questions before us, we are reassured that our struggle is yours. We give thanks for that support when we are confronted with decisions of grey not black or white. Help us to keep our focus on your vision of the new creation that would come into being. Help us to keep honor and integrity ever before us.

Most of all, O God, help us to have assurance that we can live by a grace that calls out our best but does not demand perfection. Help us to know that in our mistakes, we are forgiven. Help us to know that in our anxiety, we are accepted.

With this understanding let us give thanks for the task that God has set before us and let us recommit ourselves to serving God faithfully in all our deliberations. Amen

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to Committees as indicated:

Agriculture: **SB 334**.

Assessment and Taxation: **HB 2007, HB 2009**.

Education: **SB 331**.

Elections and Local Government: **HB 2119**.

Natural Resources: **HB 2198; HCR 5008**.

Judiciary: **SB 335; Sub HB 2077; HB 2136, 2173, 2174, 2175**.

Ways and Means: **SB 332, SB 333**.

CHANGE OF REFERENCE

The President withdrew **SB 51, SB 84, SB 105, SB 129, SB 231, SB 266** from the Committee on Assessment and Taxation, and referred the bills to the Committee on Ways and Means.

The President withdrew **SB 299** separately from the Committees on Utilities and Assessment and Taxation, and referred the bill to the Committee on Ways and Means.

The President withdrew **SB 121, SB 227, SB 298, SB 306, SB 307, SB 324** from the Committee on Commerce, and referred the bills to the Committee on Ways and Means.

The President withdrew **SB 134, SB 200, SB 219** from the Committee on Education, and referred the bills to the Committee on Ways and Means.

The President withdrew **SB 256** from the Committee on Elections and Local Government, and referred the bill to the Committee on Ways and Means.

The President withdrew **SB 181, SB 182, SB 185, SB 193, SB 274** from the Committee on Financial Institutions and Insurance, and referred the bills to the Committee on Ways and Means.

The President withdrew **HB 2114** from the Committee on Financial Institutions and Insurance, and referred the bill to the Committee on Transportation.

The President withdrew **SB 305** from the Committee on Public Health and Welfare, and referred the bill to the Committee on Ways and Means.

The President withdrew **SB 112, SB 144** from the Committee on Utilities, and referred the bills to the Committee on Ways and Means.

REFERRAL OF APPOINTMENTS

The following appointment made by the Governor and submitted to the senate for confirmation, was referred to Committee as indicated:

Member, State Board of Tax Appeals: Calvin T. Roberts, effective upon the date of confirmation by the Senate to fulfill an unexpired term ending January 15, 2004.

(Assessment & Taxation)

COMMUNICATIONS FROM STATE OFFICERS

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

February 19, 2001

Glenn Deck, Executive Secretary, Kansas Public Employees Retirement System, submitted the Annual Report for the fiscal year ending June 30, 2000.

DEPARTMENT OF ADMINISTRATION

Division of Accounts and Reports

February 19, 2001

Dale Brunton, Director, Division of Accounts and Reports, submitted a copy of the State of Kansas *Monthly Financial Perspective* for the month of November, 2000.

Enhanced monthly financial information is available on the internet under *Monthly Financial Perspective*. There is also a web-site available.

The President announced the above reports are on file in the office of the Secretary of the Senate and are available for review at any time.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2190, HB 2217, HB 2270**.

Also, passage of **SB 15**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2190, HB 2217, HB 2270 were thereupon introduced and read by title.

FINAL ACTION ON CONSENT CALENDAR

SB 178, SB 212; HB 2016 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

SB 178. An act concerning reports of state agencies; amending K.S.A. 75-3048 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, Huelkamp, Jackson, Jenkins, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

Absent or Not Voting: Jordan.

The bill passed.

SB 212, An act relating to dentists; concerning the use of certain names; amending K.S.A. 2000 Supp. 65-1435 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, Huelkamp, Jackson, Jenkins, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

Absent or Not Voting: Jordan.

The bill passed.

HB 2016, An act concerning Wichita state university; revising certain definitions and statutory provisions applicable to the university; amending K.S.A. 76-116d, 76-156a and 76-756 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, Huelkamp, Jackson, Jenkins, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

Absent or Not Voting: Jordan.

The bill passed.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 162** be passed.

Also **SB 59** be amended on page 5, in line 15, before "The" by inserting "(a)"; after line 18 by inserting:

"(b) All rules and regulations of the department of agriculture or the secretary of the department of agriculture concerning milk, cream and dairy products in existence on the effective date of this act shall continue to be effective until revised, amended, revoked or nullified pursuant to law."

On page 10, in line 31, by striking ", (b), (c) or" and inserting "through" and the bill be passed as amended.

Committee on **Assessment and Taxation** recommends **SB 92** be passed.

Also **SB 138** be amended on page 1, in line 30, by striking "exclusively"; in line 34, by striking all after the period; by striking all in line 35; in line 36, by striking all before "The"; and the bill be passed as amended.

SB 233 be amended by striking all in lines 32 through 37;

By renumbering existing sections accordingly; and the bill be passed as amended.

Committee on **Commerce** recommends **SB 146**, **SB 180** be passed.

Committee on **Education** recommends **SB 220** be passed.

Committee on **Elections and Local Government** recommends **SB 89** be passed.

Committee on **Financial Institutions and Insurance** recommends **SB 58** be amended on page 1, in line 13, by inserting after the first comma "services provided by a public utility as defined in K.S.A. 66-104, and amendments thereto, or a wireless carrier as defined in K.S.A. 12-5301, and amendments thereto,"; in line 16, by striking "written"; also in line 16, after the period, by inserting: "The supplier obtaining or submitting the check, draft or other form of negotiable instrument or payment order for payment shall have the burden of proving the express authorization by a preponderance of the evidence."; in line 17, by striking all after "(b)"; by striking lines 18 through 21; in line 22, by striking all before the period and inserting "As used in this section, "express authorization" means an express affirmative act by a consumer clearly agreeing to the payment by check, draft or other form

of negotiable instrument or payment order drawn on a person's checking, savings, share or similar account"; after line 28, by inserting the following:

"(d) Financial institutions may decline to pay any check, draft or other form of negotiable instrument or payment order submitted without proof of the consumer's express authorization."; in line 29, by striking "(d)" and inserting "(e)"; in line 31, by striking "(e)" and inserting "(f)"; after line 32, by inserting the following:

"Sec. 2. K.S.A. 50-636 is hereby amended to read as follows: 50-636. (a) The commission of any act or practice declared to be a violation of this act shall render the violator liable to the aggrieved consumer, or the state or a county as provided in subsection (c), for the payment of a civil penalty, recoverable in an individual action, including an action brought by the attorney general or county attorney or district attorney, in a sum set by the court of not more than ~~\$5,000~~ \$10,000 for each violation. An aggrieved consumer is not a required party in actions brought by the attorney general or a county or district attorney pursuant to this section.

(b) Any supplier who willfully violates the terms of any court order issued pursuant to this act shall forfeit and pay a civil penalty of not more than ~~\$10,000~~ \$20,000 per violation, in addition to other penalties that may be imposed by the court, as the court shall deem necessary and proper. For the purposes of this section, the district court issuing an order shall retain jurisdiction, and in such cases, the attorney general, acting in the name of the state, or the appropriate county attorney or district attorney may petition for recovery of civil penalties.

(c) In administering and pursuing actions under this act, the attorney general and the county attorney or district attorney are authorized to sue for and collect reasonable expenses and investigation fees as determined by the court. Civil penalties or contempt penalties sued for and recovered by the attorney general shall be paid into the general fund of the state. Civil penalties and contempt penalties sued for and recovered by the county attorney or district attorney shall be paid into the general fund of the county where the proceedings were instigated.

(d) Any act or practice declared to be a violation of this act not identified to be in connection with a specific identifiable consumer transaction but which is continuing in nature shall be deemed a separate violation each day such act or practice exists.

Sec. 3. K.S.A. 50-636 is hereby repealed.";

And by renumbering the remaining section accordingly;

In the title, in line 9, after "acts" by inserting "; amending K.S.A. 50-636 and repealing the existing section"; and the bill be passed as amended.

Also **SB 151** be amended on page 1, in line 13, after the comma, by inserting: "within the limits of appropriations thereof, the Kansas state employees health care commission shall establish a pilot program which provides that"; also in line 13, by striking "a parent" and inserting: "an active employee of the state of Kansas"; in line 16, by striking "100%" and inserting: "a percentage determined by the commission, within the limits of appropriations for the pilot program,"; in line 19, after the period, by inserting: "Expenditures for such pilot program shall not be less than \$100,000. Such pilot program if funded by the legislature shall continue in effect subsequent to the first year of funding."; in line 20, before "who" by inserting: "who is an eligible dependent pursuant to K.A.R. 108-1-1 and"; in line 22, after "thereto" by inserting: "and under the guidelines for eligibility developed by the commission within the limits of appropriations for the pilot program"; after line 25, by inserting the following:

"(c) The Kansas state employees health care commission shall report its findings and any recommendations which the commission may have concerning the pilot program established under this section to the governor and to the legislature annually."; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 132, 137, 175, 197** be passed.

Also **SB 27** be amended on page 1, in line 18, by striking "the"; in line 19, by striking "El Dorado Cor-"; by striking all in lines 20 and 21; in line 22, before the period by inserting "a correctional facility designated by the secretary"; in line 34, by striking "the Topeka correctional facility" and inserting "a correctional facility designated by the secretary";

On page 2, in line 2, by striking “the”; also in line 2, by striking “El”; in line 3, by striking “Dorado” and inserting “a”; in line 4, by striking “to”; by striking all in line 5; in line 6, by striking “tution”; in line 8, by striking “the El”; in line 9, by striking “Dorado correctional facility, the Topeka” and inserting “a”; in line 10, after “facility” by inserting “designated by the secretary”; in line 12, after “served” by inserting “, except that if the record of the offender’s trial and conviction causes the sheriff to believe that the offender has fully served both the prison portion and postrelease supervision obligation of the sentence or sentences imposed, the sheriff may provide certified copies of the record to the secretary prior to the sheriff’s conveyance of the offender. If the secretary determines that the offender’s sentence has been fully served, the secretary shall cause the issuance of a certificate of discharge of the offender from the sentence or sentences. The issuance of a certificate of discharge shall relieve the sheriff of the obligation to convey the offender to the secretary pursuant to the record of the offender’s trial and conviction”; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 214** be amended on page 1, in line 34, by striking “of” where it appears for the first time and inserting “or”; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 55** be amended on page 3, in line 31, by striking “appropriate cases to which this paragraph applies” and inserting “cases where such seizure disorders are not controlled”; and the bill be passed as amended.

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 11, SB 160, SB 209, SB 239** be passed.

SB 192 be amended by adoption of the committee amendments, and the bill be passed as amended.

Sub SB 62 be amended by adoption of the committee report recommending a substitute bill, be amended by motion of Senator O’Connor on page 1, in line 16, by striking “provide” and inserting “make available”; and **Sub SB 62** be passed as amended.

SB 155 be amended by adoption of the committee amendments, be further amended by motion of Senator Schodorf as amended by Senate Committee, on page 1, in line 23, by striking “military order of the purple heart” and inserting “purple heart/combat wounded veterans”; in line 26, by striking “military order of the purple heart” and inserting “purple heart/combat wounded veterans”; in the title, in line 13, by striking “military order of the purple heart” and inserting “purple heart/combat wounded veterans” and **SB 155** be passed as further amended.

SB 195 be amended by adoption of the committee amendments, be further amended by motion of Senator Steineger as amended by Senate Committee, on page 2, preceding line 10 by inserting:

“Sec. 2. K.S.A. 2000 Supp. 65-502 is hereby amended to read as follows: 65-502. As used in this act:

(a) “Child” means a person under 16 year of age.

(b) “Child care” means the care, supervision and guidance of a child by a person other than the child’s parent, guardian or custodian for a period of time less than 24 hours per day on a regular basis, but does not include care, supervision and guidance of a school age child by any of the following:

(1) An instructional program for children who are attending a program as provided under K.S.A. 2000 Supp. 72-8238, and amendments thereto, administered by any of the following:

(A) A public or nonpublic school system accredited by the department of education or the state board of regents; or

(B) a nonpublic school system, which is not accredited by the department of education or the state board of regents.

(2) A summer program established by the school board of a school district as provided under K.S.A. 2000 Supp. 72-8237, and amendments thereto.

(3) Short-term classes of less than two weeks' duration held between school terms or during a break within a school term.

(4) A school age program operated not more than one day per week by volunteers, which meets all of the following conditions:

(A) Not more than 11 children are served per volunteer;

(B) the program operates for less than four hours during any 24 hour period; and

(C) the program is provided at no cost to a child's parent, guardian or custodian.

(5) A school age program administered by a political subdivision of the state which is primarily for recreational or social purposes and is limited to children who are six years of age or older and attending school.

(6) An after school program continuously offered throughout the school year to children who are at least six years of age and enrolled in school. The program must be provided with a nominal membership fee or at no cost.

(7) A special activity program which meets less than four hours per day for the sole purpose of the special activity. Special activity programs include but are not limited to, music or dance classes, organized athletic or sports programs, recreational classes, scouting programs and hobby or craft clubs or classes.

(8) A nationally accredited camp.

(9) A structured school age program for the purpose of providing therapeutic, rehabilitative or supervisory services to children under any of the following:

(A) A purchase of service or managed care contract with the department; or

(B) an arrangement approved by a juvenile court order.

(c) "Maternity center" means a facility which provides delivery services for normal, uncomplicated pregnancies but does not include a medical care facility as defined by K.S.A. 65-425 and amendments thereto.

(d) "School age" means a child who has reached the legal age to attend school.

New Sec. 3. Child care as defined in subsection (b) of section 2, and amendments thereto, shall not include:

(a) A child care center for sick children operated as part of a pediatrics unit in a hospital licensed by the department of health and environment, as defined pursuant to K.S.A. 65-425, and amendments thereto; or

(b) child care provided on-site to children of parents residing in an emergency, homeless or domestic violence shelter.";

By renumbering the remaining sections accordingly;

Also on page 2, in line 10, by striking "65-525 is" and inserting "65-502 and 65-525 are";

In the title, in line 11, after "Supp." by inserting "65-502 and"; in line 12, by striking "section" and inserting "sections" and **SB 195** be passed as further amended.

HB 2029 be amended by adoption of the committee amendments, be further amended by motion of Senator Corbin as amended by Senate Committee, on page 1, in line 10, by striking "Parkinson's" and inserting "certain"; in line 11, before "support" by inserting "prevention" and **HB 2029** be passed as further amended.

FINAL ACTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Oleen an emergency was declared by a 2/3 constitutional majority, and **SB 11; Sub SB 62; SB 155, SB 160, SB 192, SB 195, SB 209, SB 239; HB 2029** were advanced to Final Action and roll call.

SB 11, An act concerning vocational education; relating to supervision of the administration of programs by local educational agencies; amending K.S.A. 2000 Supp. 72-4408 and 72-4412 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, Huel-

skamp, Jackson, Jenkins, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

Absent or Not Voting: Jordan.

The bill passed.

Sub SB 62, An act relating to public officers; enacting the constitutional awareness act.

On roll call, the vote was: Yeas 32, Nays 7, Present and Passing 0, Absent or Not Voting

1.

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

Nays: Barone, Corbin, Feleciano, Gooch, Haley, Hensley, Lee.

Absent or Not Voting: Jordan.

The substitute bill passed, as amended.

SB 155, An act designating United States highway 75 as the purple heart/combat wounded veterans highway; amending K.S.A. 2000 Supp. 68-1010 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, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

Absent or Not Voting: Jordan.

The bill passed, as amended.

SB 160, An act concerning the dental practices act; relating to licensure and fees; amending K.S.A. 2000 Supp. 65-1431, 65-1447 and 65-1456 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, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

Absent or Not Voting: Jordan.

The bill passed.

SB 192, An act concerning campaign finance; relating to district party committees; amending K.S.A. 25-4143 and repealing the existing section.

On roll call, the vote was: Yeas 33, Nays 6, Present and Passing 0, Absent or Not Voting

1.

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

Nays: Barone, Feleciano, Gilstrap, Haley, Hensley, Lee.

Absent or Not Voting: Jordan.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote no on **SB 192**. It is a sad commentary that our first bill on campaign finance reform is not reform but a reversal of reform. The intent of this bill is deceptive because it creates an apparatus that places Congressional district party organizations on an equal level with statewide party organizations and our statewide legislative caucuses.

The result will be the creation of eight additional party committees, which will increase the number of party committees in Kansas from 6 to 14. These party committees will be able to have *unlimited* expenditures.

Rather than simplifying our election laws, we are adding eight more layers to them. What will be next—allowing organizations within Congressional districts or even within precincts to organize party committees?—ANTHONY HENSLEY

Senator Haley requests the record to show he concurs with the “Explanation of Vote” offered by Senator Hensley on **SB 192**.

SB 195, An act relating to child care records; concerning the confidentiality of information; amending K.S.A. 2000 Supp. 65-502 and 65-525 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, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

Absent or Not Voting: Jordan.

The bill passed, as amended.

SB 209, An act concerning crimes, criminal procedure and punishment; enacting the national crime prevention and privacy compact.

On roll call, the vote was: Yeas 25, Nays 14, Present and Passing 0, Absent or Not Voting 1.

Yeas: Adkins, Allen, Barnett, Barone, Brungardt, Corbin, Downey, Emler, Feleciano, Gilstrap, Goodwin, Hensley, Jenkins, Kerr, Lee, Morris, O'Connor, Oleen, Praeger, Schmidt, Schodorf, Steineger, Teichman, Umbarger, Vratil.

Nays: Brownlee, Clark, Donovan, Gooch, Haley, Harrington, Huelskamp, Jackson, Lyon, Pugh, Salmans, Taddiken, Tyson, Wagle.

Absent or Not Voting: Jordan.

The bill passed.

SB 239, An act relating to the Kansas trauma system; amending K.S.A. 2000 Supp. 75-5664 and repealing the existing section.

On roll call, the vote was: Yeas 35, Nays 4, Present and Passing 0, Absent or Not Voting 1.

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

Nays: Clark, Huelskamp, O'Connor, Tyson.

Absent or Not Voting: Jordan.

The bill passed.

HB 2029, An act relating to sales taxation; exempting certain sales to certain disease prevention support associations; amending K.S.A. 2000 Supp. 79-3606 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, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Praeger, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

Absent or Not Voting: Jordan.

The bill passed, as amended.

CORRECTION OF THE JOURNAL

Correct the Journal of the Senate for Monday, February 19, 2001, on page 177, under the heading, “**REPORT ON ENROLLED BILLS**”, to read as follows:

SR 1819, SR 1820 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 19, 2001.

On motion of Senator Oleen the Senate adjourned until 1:30 p.m., Wednesday, February 21, 2001.

HELEN A. MORELAND, *Journal Clerk*.

PAT SAVILLE, *Secretary of Senate*.

