

Journal of the Senate

ELEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 29, 2002—2:30 p.m.

The Senate was called to order by President Dave Kerr.

The roll was called with thirty-eight senators present.

Senators Haley and Taddiken were excused.

President Kerr introduced as guest chaplain, Rev. Joe Griffo, Topeka Reformed Presbyterian Church, Topeka, Kansas, who delivered the invocation:

Father in heaven, we give thanks and praise to you, as we acknowledge your sovereignty over all things; you know the end from the beginning, for you have ordained it to your glory and our good.

We pray your blessing, Lord, upon these servants, who have been given a high calling with a great amount of responsibility, as they represent and serve the people, realizing the decisions they make will have an effect on thousands of people, for years to come. And, like all of us, they will answer to you.

So, Lord, please grant this group of men and women your guidance, discernment, wisdom, and a spirit of unity in achieving a common goal. Grant these senators servants' hearts, taking their lead from the Great Servant, Jesus Christ, who came to serve, rather than be served - He who humbled Himself, and, although he was rich, became poor for our sakes; He who gave His life that we might live.

Lord, we are all in need of your grace, blessing and mercy. I pray that you would pour these out upon this legislative body.

In Jesus name, Amen.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 460, An act enacting the bi-state county equity act; concerning the Kansas and Missouri metropolitan culture district compact; relating to the distribution of revenues; amending K.S.A. 12-2536 and repealing the existing section, by Senator O'Connor.

SB 461, An act repealing K.S.A. 12-2536 through 12-2540; relating to the Kansas and Missouri metropolitan culture district compact, by Senator O'Connor.

SB 462, An act enacting the bi-state sales tax priority act; concerning the Kansas and Missouri metropolitan culture district compact; relating to the imposition of the retailers' sales tax; amending K.S.A. 12-2536 and repealing the existing section, by Senator O'Connor.

SB 463, An act concerning alcoholic liquor; relating to common carriers; amending K.S.A. 41-408 and repealing the existing section; also repealing K.S.A. 41-801, by Committee on Federal and State Affairs.

SB 464, An act concerning alcoholic beverages; relating to the furnishing of alcoholic liquor or cereal malt beverage to a minor; amending K.S.A. 2001 Supp. 21-3610 and repealing the existing section, by Committee on Federal and State Affairs.

SB 465, An act concerning alcoholic liquor, relating to licensees; amending K.S.A. 2001 Supp. 41-311 and repealing the existing section, by Committee on Federal and State Affairs.

SB 466, An act concerning alcoholic beverages; relating to the gallonage tax; amending K.S.A. 2001 Supp. 41-501 and repealing the existing section, by Committee on Federal and State Affairs.

SB 467, An act concerning information technology; providing protection from deceptive and unwanted electronic mail messages; establishing certain acts a violation of the Kansas consumer protection act; allowing for either a cause of action or civil penalty for a violation, by Committee on Commerce.

SB 468, An act concerning elections; relating to technical clean up amendments; amending K.S.A. 25-4005 and K.S.A. 2001 Supp. 25-2316c and 25-3102 and repealing the existing sections, by Committee on Elections and Local Government.

SB 469, An act concerning the state health care benefits program; concerning participation by local governmental entities in such program; amending K.S.A. 75-6501, 75-6506 and 75-6509 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 470, An act concerning the bank commissioner; creating certain positions in the unclassified service, by Committee on Financial Institutions and Insurance.

SB 471, An act relating to sales taxation; concerning the local taxation of natural gas used for agricultural and residential purposes; amending K.S.A. 12-189a and 13-13a39 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 472, An act relating to sales taxation; concerning prepaid telephone cards; amending K.S.A. 2001 Supp. 79-3603 and repealing the existing section; also repealing K.S.A. 2001 Supp. 79-3603b, by Committee on Assessment and Taxation.

SB 473, An act concerning state parks; changing the name of Toronto state park to Cross Timbers state park at Toronto; amending K.S.A. 32-837 and repealing the existing section, by Senator Schmidt.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **SB 455**.

Financial Institutions & Insurance: **SB 459**.

Judiciary: **SB 453, SB 454, SB 456**.

Transportation: **SB 458**.

Ways and Means: **SB 457**.

COMMUNICATIONS FROM STATE OFFICERS

DEPARTMENT OF ADMINISTRATION

Division of Accounts and Reports

January 25, 2002

Dale Brunton, Director, Division of Accounts and Reports, submitted a copy of the State of Kansas *Monthly Financial Perspective* for the months of July, August, September, October and November, 2001.

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 report is on file in the office of the Secretary of the Senate and is available for review at any time.

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Insurance** recommends **SB 388, SB 390** be passed.

Committee on **Ways and Means** recommends **SCR 1613** be adopted.

Also **SCR 1614** be amended on page 1, in line 25, after "that" by inserting "once"; and the concurrent resolution be adopted as amended.

SB 374 be amended on page 1, by striking all in lines 13 through 23; in line 24, by striking "Sec. 2." and inserting "Section 1.";

And by renumbering sections accordingly;

On page 2, in line 43, by striking all after "fees";

On page 3, in line 1, by striking “grams”; in line 2, by striking “in providing such programs”; in line 5, after “section” by inserting “, including fees received under the open records act for providing access to or furnishing copies of public records,”; in line 15, after “section” by inserting “, and all fees received by the division of the budget under the open records act for providing access to or furnishing copies of public records,”;

On page 5, in line 26, after “architectural” by inserting a comma;

On page 9, by striking all in lines 34 through 43;

On page 10, by striking all in lines 1 through 40;

And by renumbering sections accordingly;

On page 11, in line 12, by striking “fuels” and inserting “fuel”; in line 34, before “Kansas” by inserting “attorney general—”;

On page 12, in line 9, before “Kansas” by inserting “attorney general—”; in line 21, before “Kansas” by inserting “attorney general—”;

On page 13, in line 40, by striking “revenue” and inserting “transportation”; 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 Harrington in the chair.

On motion of Senator Harrington the following report was adopted:

Recommended **SB 166** be passed.

Also, **SB 397** be amended by adoption of the committee amendments, and the bill be passed as amended.

On motion of Senator Oleen the Senate adjourned until 2:30 p.m., Wednesday, January 30, 2002.

HELEN A. MORELAND, *Journal Clerk*.

PAT SAVILLE, *Secretary of Senate*.

