

# Journal of the Senate

THIRTY-SIXTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Wednesday, March 6, 2002—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, Pastor David McCoy, Ambassador Christian Church, Chanute, and a teacher at the Chanute Christian Academy, who delivered the invocation:

Dear Heavenly Father,

Apostle Paul instructed Timothy and the church to pray “for kings and all who are in authority, in order that we may lead a tranquil and quiet life in all godliness and dignity.” I Timothy 2:1-2 NASB. For Governor Graves and for these men and women of authority in this senate chamber we pray that their decisions will lead Kansans into a more tranquil and quiet life in all godliness and dignity.

You also inspired Paul to instruct “every person be in subjection to the governing authorities. For there is no authority except from God, and those which exist are established by God.” Romans 13:1 NASB

Father, only You know whether there are those in this chamber who do not acknowledge You or the authority that you have given to them through the votes of their constituents, but that does not make these facts less true. Please help each senator know that You want to work through them to bring about the best for Kansas in accordance with Your will.

Father, as our nation is at war against terrorism, and having come to the realization that there are those who hate us because we are Americans and because of our Christian heritage, we pray for the protection of our military and our government leaders both in our nation’s capital and in our state capitals.

In Jesus’ Name, Amen

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**SB 642.** An act concerning the university of Kansas hospital authority act; amending K.S.A. 2001 Supp. 76-3303, 76-3304, 76-3311, 76-3321 and 76-3322 and repealing the existing sections, by Committee on Ways and Means.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committee as indicated:

Ways and Means: **SB 640, SB 641.**

## CHANGE OF REFERENCE

The President withdrew **HB 2709** from the Committee on Financial Institutions and Insurance, and referred the bill to the Committee on Judiciary.

The President withdrew **SB 538, SB 611, SB 614, SB 615, SB 616** from the Committee on Ways and Means, and rereferred the bills to the Committee on Commerce.

**REPORTS OF STANDING COMMITTEES**

Committee on **Federal and State Affairs** recommends **SB 625** be amended on page 1, in line 32, by striking "liquid" and inserting "liquified"; in line 34, by striking "liquid" and inserting "liquified";

On page 2, by striking all in lines 38 through 43 and inserting:

"(2) (A) "Business" means any person, other than an individual or the agent of an individual, who installs a portable fire extinguisher for the protection of such individual's own property.

(B) "Business" shall not mean a motor carrier, as defined in K.S.A. 66-1,108, and amendments thereto, which is properly registered with the state corporation commission except for a motor carrier who is a liquified petroleum gas marketer.

(3) "Liquified petroleum gas marketer" means any person engaged directly in the retail sale and transport delivery of liquified petroleum gas.

New Sec. 2. Prior to adopting or modifying any rules and regulations relating to the transportation, distribution or storage of liquified petroleum gas as authorized by K.S.A. 31-133a, and amendments thereto, the state fire marshal shall appoint a liquified propane gas advisory committee to assist in the adoption and modification of such rules and regulations. Members of any such advisory committee shall serve without compensation. The membership of any such advisory committee shall be selected on the basis of the expertise and knowledge of the individual.;

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

Committee on **Judiciary** recommends **SB 559** be amended on page 2, in line 5, after the second comma, by inserting "and, on and after July 1, 2003, a thumbprint or other biometric identifier.,";

On page 3, after line 30, by inserting the following:

"(g) Any person who possesses an identification card as provided in K.S.A. 8-1324, and amendments thereto, shall surrender such identification card to the division upon being issued a valid Kansas driver's license or upon reinstatement and return of a valid Kansas driver's license.,";

Also on page 3, in line 32, after "resident" by inserting "who does not hold a current valid Kansas driver's license";

On page 4, in line 1, after the second comma, by inserting "and, on and after July 1, 2003, a thumbprint or other biometric identifier.,"; in line 16 after "States" by inserting "nor to any person who holds a current valid Kansas driver's license unless such driver's license has been physically surrendered pursuant to the provisions of subsection (e) of K.S.A. 8-1002, and amendments thereto"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2675**, as amended by House Committee, be passed.

Also, **HB 2656** 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 **Ways and Means** recommends **HB 2622** 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 637** be amended on page 1, in line 26, by striking "statute book" and inserting "Kansas register" 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 Jenkins in the chair.

On motion of Senator Jenkins the following report was adopted:

Recommended **Sub HB 2625** be passed.

The committee report on **SB 422** recommending a **Sub SB 422** be adopted, and the substitute bill be passed.

The committee report on **SB 508** recommending a **Sub SB 508** be adopted, and the substitute bill be passed.

**SCR 1621** be adopted.

**SB 489** be amended by adoption of the committee amendments, and the bill be passed as amended.

The following amendments to **SB 489** were rejected:

Senator Vratil moved to amend **SB 489** on page 2, line 10, by striking all of lines 10 through 12 after the word "tampering," and inserting "the court shall have discretion to award attorneys' fees and costs to the prevailing party."

Senator Huelskamp moved to amend **SB 489** on page 2, line 40, by striking lines 40 through 43 and on page 3, by striking lines 1 through 3

**SB 411** be amended by adoption of the committee amendments, be further amended by motion of Senator Donovan, as amended by Senate Committee, on page 2, in line 42, by striking "18" and inserting "16".

Senator Donovan further amended the bill on, as amended by Senate Committee, on page 2, in line 17, following "(a)" by inserting "or (b)"; in line 32, by striking "8-1343a" and inserting "8-1344".

Senator Clark further amended the bill, as amended by Senate Committee, on page 1, in line 18, following "vehicle" by inserting "manufactured or assembled after January 1, 1968," and **SB 411** be passed as further amended.

On motion of Senator Oleen the Senate adjourned until 2:30 p.m., Thursday, March 7, 2002.

HELEN A. MORELAND, *Journal Clerk.*

PAT SAVILLE, *Secretary of Senate.*

