

Journal of the Senate

FOURTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, January 28, 2005—9:30 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-three senators present.
Senators Barnett, Brownlee, Brungardt, Gilstrap, Peterson, Taddiken and Wagle were excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Colorado has its mountains.
Florida has its beaches.
California has Sequoias,
And Georgia has its peaches.

New York has its Broadway.
Minnesota has its lakes.
Idaho has potatoes,
And Texas has its steaks.

Washington and Richmond
With their historic scenes
Have produced some famous people,
But so have Russell and Abilene.

And we have something different
That no other state can claim:
The green and rolling Flint Hills
Rising from the plains.

Lord, I realize geologists
Can tell how they came to be,
But to me they are *Your* handiwork,
And beautiful to see.

We thank You, Lord, for Kansas,
And for our home we pray,
Where seldom is heard a discouraging word
And the skies are not cloudy all day.

I pray in the Name of Jesus Christ,

AMEN

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 128, An act concerning taxation; relating to mineral severance tax; disposition of revenue; creating the oil and gas valuation depletion trust fund and providing for distribution

of moneys therefrom; amending K.S.A. 2004 Supp. 79-4227 and repealing the existing section, by Committee on Ways and Means.

SB 129, An act concerning consumer protection; relating to warranty modification or limitation; workmanlike performance; amending K.S.A. 2004 Supp. 50-639 and repealing the existing section, by Committee on Judiciary.

SB 130, An act concerning teachers; relating to teacher preparation programs, by Committee on Education.

SB 131, An act concerning school districts; relating to teachers; relating to nonrenewal or termination of contracts; amending K.S.A. 72-5439, 72-5441, 72-5442, 72-5443 and 72-5446 and K.S.A. 2004 Supp. 72-5438 and 72-5440 and repealing the existing sections, by Committee on Education.

SB 132, An act concerning elections; relating to the use of optical scanning systems to count votes; amending K.S.A. 25-4601, 25-4602, 25-4603, 25-4604, 25-4605, 25-4607, 25-4609, 25-4610, 25-4611, 25-4612 and 25-4613 and repealing the existing sections, by Committee on Elections and Local Government.

SB 133, An act concerning homestead property tax credits; amending K.S.A. 2004 Supp. 79-4521 and repealing the existing section, by Committee on Elections and Local Government.

SB 134, An act concerning elections; relating to party affiliation; amending K.S.A. 25-3301, 25-3304 and 25-4502 and K.S.A. 2004 Supp. 25-1122d and 25-1123 and repealing the existing sections, by Committee on Elections and Local Government.

SB 135, An act concerning crimes and punishment; relating to cruelty to animals; amending K.S.A. 2004 Supp. 21-4310 and repealing the existing section, by Senator Haley.

SB 136, An act concerning real property; relating to transfer upon the death of the owner; filing a notification of interest in title by an heir, by Senator Haley.

SB 137, An act concerning the criminal code, creating the crime of deprivation of rights under color of law, by Senator Haley.

SB 138, An act concerning taxation; providing for a tax credit against the income tax liability of certain business firms, by Committee on Commerce.

SB 139, An act establishing the Kansas academy of mathematics and science, by Committee on Commerce.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 126**, **SB 127**.

Commerce: **SB 122**.

Education: **HB 2059**.

Elections and Local Government: **HB 2018**.

Federal and State Affairs: **SB 121**.

Transportation: **SB 124**.

Utilities: **SB 120**.

Ways and Means: **SB 123**, **SB 125**.

REFERRAL OF APPOINTMENTS

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

By the Governor:

State Board of Tax Appeals:

Rebecca W. Crotty, effective upon the date of confirmation by the Senate, to serve a term of 4 years.

(Assessment and Taxation)

REPORTS OF STANDING COMMITTEES

Committee on **Elections and Local Government** recommends **SB 65** be amended on page 1, in line 16, by striking "both"; in line 17, by striking all following "state"; in line 18, by striking all preceding the period; in line 28, by striking "of" and inserting "before"; in

line 35, following “(d)” by inserting “Reports filed with the secretary of state pursuant to this section shall be provided to the public on the secretary of state’s website and in any other manner the secretary of state deems appropriate.

(e)”; and the bill be passed as amended.

On motion of Senator Schmidt the Senate adjourned until 2:30 p.m., Monday, January 31, 2005.

HELEN MORELAND, CAROL PARRETT, BRENDA KLING, *Journal Clerks*.

PAT SAVILLE, *Secretary of the Senate*.

