

Journal of the Senate

FORTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 14, 2014, 8:00 a.m.

The Senate was called to order by President Susan Wagle.

The roll was called with forty senators present.

The roll was called with 31 members present.

Senators Donovan, Faust-Goudeau, Holland, Holmes, Longbine, Love, V. Schmidt, Shultz, Wolf were excused.

Invocation by Father Don Davidson:

Dear Lord, reaching-out is not all that difficult or even time consuming and yet we human beings are not always ready to stop our busyness long enough to try. Help us today, Lord, to take a moment and use our hands to craft a note, make a phone call, stop and visit or just remember in prayer someone who may be alone or in need of kind word, smile, faithful grasp or prayer. In so many ways dear Lord all we have is each other; give us your presence as we seek to love. In your holy name we pray. Amen

The Pledge of Allegiance was led by President Susan Wagle.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **HB 2542**.

Commerce: **SB 442**.

Federal and State Affairs: **SB 439, SB 440**.

Transportation: **SB 441**.

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **HB 2118** from the Committee on **Interstate Cooperation**, and referred the bills to the Committee on **Natural Resources**.

Under the authority of the President, the Vice President withdrew **HB 2122** from the Committee on **Interstate Cooperation**, and referred the bills to the Committee on **Natural Resources**.

The President withdrew **HB 2125** from the Committee on **Interstate Cooperation**, and referred the bills to the Committee on **Federal and State Affairs**.

The President withdrew **HB 2272** from the Committee on **Interstate Cooperation**, and referred the bills to the Committee on **Federal and State Affairs**.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 298** be amended as recommended by Senate Committee on Assessment and Taxation as reported in the Journal of the Senate on February 28, 2014, and the bill, as printed as Substitute for SENATE BILL NO. 298, be further amended on page 2, in line 12, by striking "not exceed" and inserting "be"; in line 14, by striking "\$7" and inserting "\$8"; in line 16, by striking "\$3" and inserting "\$5"; in line 17, by striking "\$21" and inserting "\$23"; in line 19, by striking "\$6" and inserting "\$8"; in line 20, by striking "\$2" and inserting "\$4"; in line 21, by striking "\$1.50" and inserting "\$3.50"; in line 23, by striking "\$6" and inserting "\$8"; in line 26, by striking "\$6" and inserting "\$8"; in line 28, by striking "\$6" and inserting "\$8"; in line 30, by striking "not exceed" and inserting "be"; in line 32, by striking "\$8" and inserting "\$11"; in line 34, by striking "\$4" and inserting "\$8"; in line 35, by striking "\$22" and inserting "\$26"; in line 37, by striking "\$7" and inserting "\$11"; in line 38, by striking "\$3" and inserting "\$7"; in line 39, by striking "\$2.50" and inserting "\$6.50"; in line 41, by striking "\$7" and inserting "\$11";

On page 3, in line 1, by striking "\$7" and inserting "\$11"; in line 3, by striking "\$7" and inserting "\$11"; in line 5, by striking "not exceed" and inserting "be"; in line 7, by striking "\$9" and inserting "\$14"; in line 9, by striking "\$5" and inserting "\$11"; in line 10, by striking "\$23" and inserting "\$29"; in line 12, by striking "\$8" and inserting "\$14"; in line 13, by striking "\$4" and inserting "\$10"; in line 14, by striking "\$3.50" and inserting "\$9.50"; in line 16, by striking "\$8" and inserting "\$14"; in line 19, by striking "\$8" and inserting "\$14"; in line 21, by striking "\$8" and inserting "\$14"; in line 23, by striking "not exceed" and inserting "be"; in line 25, by striking "\$10" and inserting "\$17"; in line 27, by striking "\$6" and inserting "\$14"; in line 28, by striking "\$24" and inserting "\$32"; in line 30, by striking "\$9" and inserting "\$17"; in line 31, by striking "\$5" and inserting "\$13"; in line 32, by striking "\$4.50" and inserting "\$12.50"; in line 34, by striking "\$9" and inserting "\$17"; in line 37, by striking "\$9" and inserting "\$17"; in line 39, by striking "\$9" and inserting "\$17"; in line 42, after "page" by inserting "prior to January 1, 2015, and \$3 per page on and after January 1, 2015,";

On page 4, in line 6, after the period by inserting "Prior to January 1, 2015,,"; in line 8, after the period by inserting "On and after January 1, 2015, the county treasurer shall deposit \$2 of such funds in the register of deeds technology fund as provided by K.S.A. 2013 Supp. 28-115a, and amendments thereto, and \$1 of such funds in the county clerk technology fund as provided by section 3, and amendments thereto.";

On page 5, in line 13, after the period by inserting "No payments under this subsection shall be made by the county treasurer to the state treasurer during any calendar year in excess of a total of \$30,000. All moneys collected in excess of this amount which under this subsection would be paid to the state treasurer shall be credited to the county general fund.

(j) On and after January 1, 2015, the fee shall not exceed \$125 for recording single family mortgages on principal residences imposed pursuant to this section where the principal debt or obligation secured by the mortgage is \$75,000 or less.";

On page 6, following line 39, by inserting:

"New Sec. 3. (a) On January 1, 2015, there is hereby created in each county a county clerk technology fund.

(b) Upon receipt thereof, the county treasurer shall credit to the county clerk technology fund of the county all moneys attributable to the fees collected pursuant to

subsection (b) of K.S.A. 28-115, and amendments thereto.

(c) Moneys in the county clerk technology fund shall be used by the county clerk to acquire equipment and technological services for the storing, recording, archiving, retrieving, maintaining and handling of data recorded, stored or generated in the office of the county clerk.

(d) Moneys in such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In making the budget of the county, the amounts credited to, and the amount on hand in, such special fund and the amount expended from such fund shall be shown on the budget for the information of the taxpayers of the county. Any action taken by the county clerk under this subsection shall be in accordance with K.S.A. 19-302, and amendments thereto.

(e) Moneys in such fund may be invested in accordance with the provisions of K.S.A. 10-131, and amendments thereto, with interest thereon credited to such fund.

(f) The fund shall be administered by the county treasurer who shall pay out moneys from the fund upon orders signed by the county clerk.

(g) At the end of any calendar year, if the balance in such fund exceeds \$50,000 and the county clerk indicates that such amount in excess of \$50,000 shall not be needed and is not designated for technology, the county commission may authorize the transfer and use of such excess moneys by other county offices for equipment or technological services relating to the land or property records filed or maintained by the county.

(h) If a charter form of government is adopted and implemented pursuant to K.S.A. 19-2680 et seq., and amendments thereto, the provisions of this section shall apply to the official, department or office which performs the duties and functions prescribed for the office of the county clerk.";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "county clerk technology fund;"; and the substitute bill be passed as amended.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2479, HB 2662, Sub for Sub HB 2721.**

The House concurs in Senate amendments to **HB 2599.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2479, HB 2662, Sub for Sub HB 2721 were thereupon introduced and read by title.

TRIBUTES

The Committee on **Organization, Calendar and Rules** authorizes the following tributes for the week of March 10-14, 2014:

Senator Bowers: recognizing Sheryl Williams on her retirement as Cloud County Treasurer, congratulating Travis Schwerdtfager on being named the 2014 Chamber Member of the Year, congratulating Jim Gabelmann on receiving the Lincoln County Chamber Community Leadership Award, congratulating Michael Harbaugh on his induction into the String Teacher's Hall of Fame, congratulating Alyce and Sam Gillett on receiving the 2013 Jewell County Windbreak Award, congratulating the St. John's Catholic High School Scholars Bowl Debate Team for winning the Scholars Bowl State

Championship;

Senator Faust-Goudeau: commending the TRIO Programs for service to Kansas students;

Senator Kelly: congratulating Darlene and Joe McCarter on their 60th Wedding Anniversary; and

Senator LaTurner: recognizing Alice Allen for 16,000 hours of volunteer service at Mercy Hospital-Fort Scott, recognizing Nancy Patterson for 16,000 hours of volunteer service at Mercy Hospital-Fort Scott.

On motion of Senator Bruce, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with Senator Wagle in the chair.

On motion of Senator Bruce, the Senate adjourned until 2:30 p.m., Monday, March 17, 2014.

ROSE MARIE GLATT, CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.
COREY CARNAHAN, *Secretary of the Senate*.

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