

Journal of the Senate

FIFTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 29, 2007—2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-eight senators present.
Senators Bruce and Goodwin were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

On this 146th birthday anniversary of our state, I am asking You to bless the towns all over Kansas which each of our Senators call home.

We start with Hiawatha.
And then to Hutchinson;
From Winfield to Shawnee
And on to Hugoton.

Bless Stafford and Olathe,
Emporia and Mission Hills;
Lindsborg and Manhattan,
Topeka and Haysville.

Bless Lawrence and Grinnell,
Fowler and Kensington;
Augusta and Salina,
Frontenac and Clifton.

Bless Independence and Louisburg,
And it would be a pity
To overlook Overland Park,
Wichita and Kansas City.

Bless Sedgwick, Thayer, and Leawood,
And if I've missed a name;
The legislative directory
I hope will take the blame!
Bless them all, O God, in Jesus Name,

AMEN

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 205, An act concerning the Kansas turnpike authority; relating to tolls; amending K.S.A. 68-2004 and repealing the existing section, by Senator Haley.

SB 206, An act concerning the criminal code, creating the crime of deprivation of rights under color of law, by Senator Haley.

SB 207, An act concerning school districts; relating to kindergarten; amending K.S.A. 72-1107 and K.S.A. 2006 Supp. 72-1111 and 72-53,106 and repealing the existing sections, by Committee on Education.

SB 208, An act concerning criminal history records; authorizing access by the insurance department to criminal history record information for certain purposes; amending K.S.A. 2006 Supp. 22-4701 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 209, An act pertaining to accident and health insurance; relating to rate and form filings, by Committee on Financial Institutions and Insurance.

SB 210, An act relating to county treasurers; concerning drivers' license examinations; relating to vehicle registration; relating to county treasurers acting as agents of the state; amending K.S.A. 8-234a and K.S.A. 2006 Supp. 8-126 and repealing the existing sections, by Committee on Transportation.

SB 211, An act relating to safety belts; concerning enforcement; amending K.S.A. 8-2503 and 8-2504 and repealing the existing sections, by Committee on Transportation.

SB 212, An act enacting the Kansas youth civic service credit act, by Senator Steineger.

SB 213, An act concerning taxation; amending K.S.A. 40-253a, 65-1,194 and 74-8945 and K.S.A. 2006 Supp. 79-32,110, 79-32,111, 79-32,117, 79-32,243, 79-3606 and 79-5401 and repealing the existing sections; also repealing K.S.A. 39-7,132, 74-50,113, 74-50,116, 74-50,117, 74-50,118, 74-50,119, 74-50,135, 74-50,135a, 75-4275, 79-32,155, 79-32,156, 79-32,157, 79-32,158, 79-32,159, 79-32,159a, 79-32,159b, 79-32,159c, 79-32,160, 79-32,160b, 79-32,160c, 79-32,200 and 79-32,203 and K.S.A. 2006 Supp. 74-50,114, 74-50,115, 74-50,131, 74-50,132, 74-50,133, 74-50,134, 79-1126a, 79-3269, 79-32,117, 79-32,153, 79-32,154, 79-32,160a, 79-32,181a, 79-32,204 and 79-32,207, by Committee on Assessment and Taxation.

SB 214, An act concerning salaries of employees in certain state elected offices; amending K.S.A. 40-110 and 75-3111 and repealing the existing sections, by Committee on Ways and Means.

SB 215, An act concerning income taxation; relating to credits; taxpayer contributions to community colleges for capital improvements, by Committee on Ways and Means.

SB 216, An act regulating vehicle title loans, by Senator Betts.

SB 217, An act amending the uniform consumer credit code; relating to payday loans; amending K.S.A. 2006 Supp. 16a-2-404 and repealing the existing section, by Senator Betts.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Federal and State Affairs: **SCR 1605**.

Judiciary: **SB 203**, **SB 204**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2005**, **HB 2021**, **HB 2032**, **HB 2034**, **HB 2039**, **HB 2044**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2005, **HB 2021**, **HB 2032**, **HB 2034**, **HB 2039**, **HB 2044** were thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators D. Schmidt, Barnett, Betts, Donovan, Journey, McGinn, Palmer, Petersen, Schodorf, Teichman, Umbarger and Wagle introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1811—

A RESOLUTION congratulating and commending Vicki Tiaht for her services as the President of the Congressional Club.

WHEREAS, Vicki Tiaht completed a two-year term as President of the Congressional Club on January 18, 2007; and

WHEREAS, Vicki Tiaht is a proud citizen of the state of Kansas and the 4th Congressional District; and

WHEREAS, The United States Congress established the Congressional Club in May 1908 through legislation; and

WHEREAS, The Congressional Club is the only club in the world to be incorporated by an Act of Congress; and

WHEREAS, Active membership in the Congressional Club includes the spouses of Members and former Members of Congress, spouses of Supreme Court Justices, and spouses of the members of the President's Cabinet; and

WHEREAS, The Congressional Club has been self-sustaining since 1927; and

WHEREAS, The Congressional Club publishes the unique and much anticipated Congressional Club Cookbook, which comprises recipes contributed by Congressional Club members, Members of Congress, Governors, Ambassadors, Administration officials, and their spouses; and

WHEREAS, As President of the Congressional Club for two years, Vicki Tiaht has overseen two First Lady's Luncheons. The First Lady's Luncheon honors the First Lady of the United States and is organized and hosted annually by the members of the Congressional Club; and

WHEREAS, Vicki Tiaht has also served as Chairwoman of the First Lady's Luncheon; and

WHEREAS, During her two-year term, Vicki Tiaht has also helped organize and oversee countless charity events, as well as helped coordinate numerous receptions and lunch meetings; and

WHEREAS, The Congressional Club functions mostly as a service organization, raising thousands of dollars each year for charities; and

WHEREAS, Vicki Tiaht did an exemplary job as President and represented the State of Kansas proudly as President of the Congressional Club: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That Vicki Tiaht be congratulated and commended for her service as the President of the Congressional Club.

Be it further resolved: That the Secretary of the Senate provide two enrolled copies of this resolution to Senator Derek Schmidt for presentation to Vicki Tiaht.

On emergency motion of Senator D. Schmidt **SR 1811** was adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on **Natural Resources** recommends **SB 38** 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 **Transportation** recommends **SB 9** be amended on page 1, in line 23, by striking "or"; in line 24, by striking the period and inserting "; (3) the use of video or television-type equipment in utility service vehicles for the purpose of sending or receiving data relevant to utility operations; or (4) the use of video or television-type receiving equipment used in a commercial motor vehicle, as defined in subsection (c) for sending, receiving or monitoring data relevant to such commercial motor vehicle's operation.

(c) As used in this section:

(1) "Commercial motor vehicle" means any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle:

(A) Has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds;

(B) is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or

(C) is used in transporting material found by the federal secretary of transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by such secretary under 49 C.F.R., subtitle B, chapter 1 subchapter C.

(2) "Utility service vehicle" means a vehicle owned or operated by a utility providing electric, electric transmission, natural gas, propane, telecommunications, cable television,

satellite television, internet, water or sewer services and underground locaters and municipal vehicles.”; and the bill be passed as amended.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Tuesday, January 30, 2007.

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

PAT SAVILLE, *Secretary of the Senate*.

