

Journal of the Senate

SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
 Wednesday, January 18, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
 The roll was called with forty senators present.
 Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

We make appointments with the doctor,
 Appointments with our friends;
 And appointments with constituents
 Seem to never end.

We make appointments with the lobbyists
 And members of the House.
 Sometimes we have to make
 Appointments with our spouse.

We make appointments with advisers
 And with the Governor, too.
 We make appointments with most everyone,
 Except, O Lord, with You.

We need some time with You, O God,
 So we'll have no need to fret
 That at Judgment Day You'll have to say
 "I don't believe we've met."

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 291, AN ACT concerning the uniform trust code; relating to modification or termination of noncharitable irrevocable trust; creditor claims against settlors; certification of trusts; amending K.S.A. 58a-505, 58a-1013 and 59-103 and K.S.A. 2011 Supp. 58a-411 and repealing the existing sections; also repealing K.S.A. 58a-818, by Committee on Judiciary.

SB 292, AN ACT concerning inheritance rights; relating to revocation upon divorce, by Committee on Judiciary.

SB 293, AN ACT concerning probate; relating to filing of wills; amending K.S.A. 2011 Supp. 59-618a and repealing the existing section; also repealing K.S.A. 59-621, by Committee on Judiciary.

SB 294, AN ACT concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, by Joint Committee on Special Claims Against the State.

SB 295, AN ACT enacting the fair consideration of the unemployed act, by Committee on Commerce.

SB 296, AN ACT concerning income taxation; relating to credits; qualified tuition and related expenses, by Committee on Assessment and Taxation.

SB 297, AN ACT concerning domestic relations; relating to marital property; amending K.S.A. 2011 Supp. 23-2601 and repealing the existing section, by Committee on Judiciary.

SB 298, AN ACT regulating traffic; relating to penalties for violating size and weight laws, exceptions; amending K.S.A. 2011 Supp. 8-1901 and repealing the existing section, by Committee on Transportation.

SB 299, AN ACT concerning alcoholic beverages; relating to the club and drinking establishment act; creating a public venue license; amending K.S.A. 41-306, 41-306a, 41-307, 41-308, 41-701, 41-2608, 41-2613, 41-2614 and 41-2640 and K.S.A. 2011 Supp. 41-308a, 41-2601, 41-2622 and 41-2629 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 300, AN ACT concerning motor vehicles; relating to temporary vehicle registration permits; extending the thirty-day registration to sixty days; amending K.S.A. 2011 Supp. 8-135 and 8-2409 and repealing the existing sections, by Committee on Transportation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **SB 289**.

Federal and State Affairs: **SB 284, SB 288**.

Financial Institutions and Insurance: **SB 286, SB 287**.

Judiciary: **SB 281, SB 282, SB 283, SB 285**.

Public Health and Welfare: **SB 290**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

The following resolutions were introduced and read:

SENATE RESOLUTION No. 1803—

By Committee on Transportation

A RESOLUTION urging congress to amend the federal highway beautification act to allow businesses in small towns across Kansas to

advertise with outdoor highway advertising signs.

WHEREAS, Outdoor highway advertising signs are very important to attract motorists to businesses and cultural activities in small towns in Kansas; and

WHEREAS, The highway beautification act and the regulations promulgated thereunder allow the federal government to withhold federal highway funding if a state engages in so called “spot zoning” or allows nonconforming signs; and

WHEREAS, Many small town businesses have not had an opportunity to “grandfather in” their outdoor advertising signs under the federal highway beautification act because highways have been rerouted necessitating new signs; and

WHEREAS, Because of the “grandfathering” process, many small towns in other states have multiple outdoor advertising signs in rural areas without negative effects: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the highway beautification act should be amended to allow outdoor highway advertising signs in rural areas; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the United States department of transportation and the members of the Kansas Congressional Delegation.

SENATE RESOLUTION No. 1804—

By Committee on Transportation

A RESOLUTION concerning transportation; requesting a multi-year federal transportation funding program at current funding levels.

WHEREAS, The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) which funds road construction in Kansas was set to expire on September 30, 2009, and has now been extended eight times; and

WHEREAS, A majority of funding for road construction in Kansas comes from federal sources; and

WHEREAS, A lack or reduction of federal funding would stop the Kansas department of transportation from beginning any new road construction projects, and would impact many current road construction projects; and

WHEREAS, A comprehensive long-term transportation funding program is necessary for the Kansas department of transportation to adequately plan and construct roads across the entire state: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we request Congress to pass a comprehensive multi-year plan to fund highway construction that maintains current funding levels; and

Be it further resolved: That the Secretary of the Senate shall send an

enrolled copy of this resolution to the United States department of transportation and the members of the Kansas Congressional Delegation.

COMMUNICATIONS FROM STATE OFFICERS

KANSAS BUREAU OF INVESTIGATION

January 13,2012

In compliance with KSA 60-4117, Kirk D. Thompson, Director, submitted a report regarding the status of the KBI State Forfeiture Fund.

KANSAS CORPORATION COMMISSION

January 17, 2012

Pursuant to the provisions of KSA 2010 Supp. 66-1250 through 66-1254, Patti Petersen-Klein, Executive Director, Kansas Corporation Commission, submitted the annual report regarding broadband service and providers.

The President announced the above reports are on file in the office of the Secretary of the Senate and are available for review at any time.

MESSAGE FROM THE HOUSE

Announcing the appointment of Representatives Brown, Grange and Sean Gatewood to escort the Senate and the appointment of Representatives Mitch Holmes, Knox and Frownfelter to escort the Supreme Court for the purpose of hearing a message on the State of the Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **Substitute for HB 2178** be passed.

President Morris announced the Senate would recess until 4:50 p.m. for the purpose of a joint meeting with the House of Representatives for the State of the Judiciary

On motion of Senator Emler, the Senate recessed until 2:30 p.m., Thursday, January 19, 2012.

HELEN MORELAND, ROSE MARIE GLATT, SHIRLEY LAMOTT, *Journal Clerks.*

PAT SAVILLE, *Secretary of the Senate.*

