

Journal of the Senate

SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 16, 2007—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,

As we commemorate Dr. Martin Luther King, Jr's birthday anniversary, remind us of some of the quotations from him and other prominent black Americans which point out their spiritual orientation:

Dr. King was a Baptist preacher who, in a speech on December 31, 1955, said, "If you will protest courageously, and yet with dignity and Christian love, when the history books are written in future generations, the historians will have to pause and say, "There lived a great people—a black people—who injected new meaning and dignity into the veins of civilization."

Harriet Tubman, a former slave who repeatedly risked her life to free over 300 slaves, told her biographer in 1868, " 'Twant me, 'twas the Lord. I always told Him, 'I trust to You. I don't know where to go or what to do, but I expect You to lead me,' and He always did."

Frederick Douglass, a former slave, became an outstanding abolitionist and spokesman for all slaves. While retelling the story of his conversion, he said, "...I gathered scattered pages of the Bible from the filthy street gutters, and washed and dried them, that in moments of leisure I might get a word or two of wisdom from them."

Booker T. Washington, once a slave, became one of America's greatest reformers, educators and writers, once declared, "I shall allow no man to belittle my soul by making me hate him."

George Washington Carver, who was an agricultural chemist of international fame, introduced hundreds of uses for the peanut, soybean, pecan and sweet potato, which revolutionized the economy of the South. In 1928 he was asked to share some of his observations about God, and part of his response follows: "My purpose alone must be God's purpose—to increase the welfare and happiness of His people...should we who believe in Christ be so surprised at what God can do with a willing man in a laboratory? Some things must be baffling to the critic who has never been born again."

So thank You, Lord, for these and other remarkably courageous individuals who have blessed this nation, and brought honor and glory to You.

I pray in the Name of Jesus Christ,

AMEN

Quotes came from *America's God and Country Encyclopedia Of Quotations* by William J. Federer

GUESTS

Senator Lynn introduced her daughter, Emily Lynn, along with Rachel Canfield, Hanna Jennings and Danielle Launius, Olathe Northwest High School, who were serving as pages in the Senate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 79, An act concerning the Kansas sports hall of fame; relating to funding thereof; providing for the use of certain lottery revenues therefore; amending K.S.A. 2006 Supp. 74-8711 and repealing the existing section, by Committee on Federal and State Affairs.

SB 80, An act concerning school districts; relating to school finance; amending K.S.A. 2006 Supp. 72-6407 and repealing the existing section, by Committee on Federal and State Affairs.

SB 81, An act concerning the state board of healing arts; fingerprinting and criminal history record checks, by Committee on Public Health and Welfare.

SB 82, An act concerning the healing arts act; amending K.S.A. 65-2867 and K.S.A. 2006 Supp. 65-2872 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 83, An act concerning the employment security law; relating to contribution rates; amending K.S.A. 2006 Supp. 44-703 and 44-710a and repealing the existing sections, by Committee on Commerce.

SB 84, An act concerning the presidential primary; establishing the date thereof; amending K.S.A. 25-4502 and 25-4503 and K.S.A. 2006 Supp. 25-4501 and repealing the existing sections, by Senator Journey.

SB 85, An act concerning the Kansas judicial council; relating to employment of certain retired justices and judges; terms and conditions; commission on judicial performance, by Committee on Judiciary.

SB 86, An act concerning civil procedure; relating to the application to change a judge in civil cases; amending K.S.A. 20-311e and 20-311f and K.S.A. 2006 Supp. 20-311d and repealing the existing section, by Committee on Judiciary.

SB 87, An act concerning the Kansas offender registration act; prohibition from adopting or enforcing the residency restrictions; amending K.S.A. 2006 Supp. 22-4913 and repealing the existing section, by Committee on Judiciary.

SB 88, An act concerning civil procedure; relating to divorce; restoration of name; amending K.S.A. 2006 Supp. 60-1610 and 60-1621 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 60-1621a, by Committee on Judiciary.

SB 89, An act relating to water; concerning the Republican river and the disposition of moneys recovered from certain litigation; establishing the Republican river water conservation projects fund, by Committee on Agriculture.

SB 90, An act concerning taxation; relating to cigarettes and tobacco products; meter imprints; remittance of tax stamps by electronic funds transfer; amending K.S.A. 2006 Supp. 79-3301, 79-3311 and 79-3312 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 91, An act concerning licensure, certification or registration by state authority; relating to social security numbers or tax identification numbers; amending K.S.A. 74-139 and repealing the existing section, by Committee on Assessment and Taxation.

SB 92, An act concerning sales taxation; relating to isolated or occasional sales of motor vehicles; collection and remittance, electronic funds transfer; amending K.S.A. 2006 Supp. 79-3604 and repealing the existing section, by Committee on Assessment and Taxation.

SB 93, An act concerning school districts; relating to school finance; amending K.S.A. 2006 Supp. 72-6455 and repealing the existing section, by Committee on Education.

SB 94, An act concerning state officers and employees; relating to governmental ethics; amending K.S.A. 46-237 and K.S.A. 2006 Supp. 46-237a and repealing the existing sections, by Committee on Education.

SB 95, An act concerning school districts; relating to school finance; relating to pupils confined or housed at certain facilities; amending K.S.A. 72-6430 and 72-8187 and K.S.A. 2006 Supp. 72-6407 and repealing the existing sections, by Committee on Education.

SB 96, An act concerning elections; relating to campaign finance; amending K.S.A. 25-4153 and repealing the existing section, by Committee on Education.

SB 97, An act concerning crimes, punishment and criminal procedure; relating to burglary; sentencing; amending K.S.A. 2006 Supp. 21-4704 and repealing the existing section, by Committee on Judiciary.

SB 98, An act concerning sales taxation; relating to exemptions; Dream Factory, Inc.; amending K.S.A. 2006 Supp. 79-3606 and repealing the existing section, by Senator Wilson.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Commerce: **SB 78**.

Transportation: **SB 77**.

MESSAGE FROM THE GOVERNOR

January 10, 2007

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Directive No. 07-373 for your information.

Sincerely,

KATHLEEN SEBELIUS
Governor

The President announced Executive Directive No. 07-373, regarding Energy Conservation and Management, is on file in the office of the Secretary of the Senate and is available for review at any time.

COMMUNICATIONS FROM STATE OFFICERS

KANSAS HOUSING
Resources Corporation

January 10, 2007

On behalf of the Board of Directors and staff of the Kansas Housing Resources Corporation (KHRC), Stephen R. Weatherford, President, submitted financial statements for the years ended June 30, 2006 and 2005 and an independent auditors' report.

KANSAS BUREAU OF INVESTIGATION

January 12, 2007

Larry Welch, Director, Kansas Bureau of Investigation, submitted the KBI Annual Report for 2006.

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.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Brownlee and Lynn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1807—

A RESOLUTION congratulating and commending the members of the 2007 Kansas Teacher of the Year Team.

WHEREAS, The Kansas State Department of Education sponsors the Kansas Teacher of the Year program which identifies, recognizes and utilizes representatives of excellent teaching in the elementary and secondary classrooms of the state. The mission of the program is to build and utilize a network of exemplary teachers who are leaders in the improvement of schools, student performance and the teaching profession; and

WHEREAS, Two teachers—one elementary and one secondary—in each of the state's four United States congressional districts were selected as finalists for recognition as Kansas Teacher of the Year, the Kansas Teacher of the Year being chosen from among the eight finalists. The Kansas Teacher of the Year is awarded The Hubbard Foundation Kansas Teacher of the Year Ambassadorship which enables the person selected to devote significant time during the second semester to activities to support the mission of the program. The 2007 Kansas Teacher of the Year and finalists were honored at an awards banquet on November 11, 2006. All members received a cash award as well as mementos of the event; and

WHEREAS, The Kansas Teacher of the Year is nominated to represent Kansas in the National Teacher of the Year program, a project of the Council of Chief State School Officers presented by the ING Foundation; and

WHEREAS, The 2007 Kansas Teacher of the Year is Joshua (Josh) M. Anderson, Olathe USD 233, and the regional finalists are Mary N. Collins, Morris County USD 417; Lori Atkins Goodson, Wamego USD 320; Martha Hadsall, Anthony-Harper USD 361; Bonnie Kastanek, Manhattan-Ogden USD 383; Carrie Mugridge, DeSoto USD 232; DeAnn R. Nelson, Wichita USD 259; and Sheryl L. Smith, Buhler USD 313; Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the members of the 2007 Kansas Teacher of the Year Team and wish Mr. Anderson success in the national competition; and

Be it further resolved: That the Secretary of the Senate provide eight enrolled copies of this resolution to the Commissioner of Education for forwarding to the members of the 2007 Kansas Teacher of the Year Team.

On emergency motion of Senator Brownlee **SR 1807** was adopted unanimously.

Members of the Senate welcomed and congratulated Kansas Teacher of the Year, Joshua M. Anderson, Olathe USD 233 and regional finalists Mary N. Collins, Morris County USD 417; Lori Atkins Goodson, Wamego USD 320; Martha Hadsall, Anthony-Harper USD 361; Bonnie Kastanek, Manhattan-Ogden USD 383; Carrie Mugridge, DeSoto USD 232; DeAnn R. Nelson, Wichita USD 259; and Sheryl L. Smith, Buhler USD 313

REPORTS OF STANDING COMMITTEES

Committee on **Elections and Local Government** recommends **SB 36** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

REMOVE FROM CONSENT CALENDAR

There being an object to **SB 36** appearing on the Consent Calendar, the bill will be removed and placed on the calendar under the heading of General Orders.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Wednesday, January 17, 2007.

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

PAT SAVILLE, *Secretary of the Senate.*

