

Journal of the Senate

FORTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 6, 2007—2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-nine senators present.
Senator Palmer was excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

In 1831 Alexis de Tocqueville, the famous French statesman, historian, and social philosopher toured the United States and a few years later published a work entitled, *Democracy in America*, which has been described as “the most comprehensive and penetrating analysis of the relationship between character and society in America that has ever been written.”

In this book de Tocqueville says, “...there is no country in the world where the Christian religion retains a greater influence over the souls of men than in America, and there can be no greater proof of its utility and of its conformity to human nature than that its influence is powerfully felt over the most enlightened and free nation of the earth.”

But that was 176 years ago, O God, and I wonder if he could give the same report in 2007. Maybe in this building we do not have much effect on what happens in the rest of our country, but we do have a lot of influence in Kansas. Help us, Lord, to emulate the founders of this nation whose commitment to God dominated their decisions when America was born.

I pray in Jesus' Name,

AMEN

Quotations from *America's God and Country Encyclopedia of Quotations* by William J. Federer

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 374, An act concerning certain county and district attorneys; requiring compliance with policies adopted by board of county commissioners; amending K.S.A. 22a-106 and repealing the existing section, by Committee on Federal and State Affairs.

SB 375, An act creating the Johnson county education research triangle authority; providing for a board of directors; prescribing powers and duties; taxing authority, by Committee on Ways and Means.

SB 376, An act concerning driving; relating to driver's licenses; concerning habitual violators; relating to driving under the influence of alcohol or drugs; concerning administrative hearings; relating to the computation of time; ignition interlock and impoundment; amending K.S.A. 8-235, 8-286, 8-288, 8-1002 and 8-1020 and K.S.A. 2006 Supp. 8-287 and 8-1567 and repealing the existing sections, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committee as indicated:

Ways and Means: **SB 371, SB 372, SB 373.**

CHANGE OF REFERENCE

The President withdrew **SB 329** from the Committee on Assessment and Taxation, and referred the bill to the Committee on Ways and Means.

REFERRAL OF APPOINTMENTS

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

By the Governor:

Kansas Air National Guard, Chief of Staff

Deborah S. Rose, effective upon the date of confirmation by the Senate.
(Federal and State Affairs)

MESSAGE FROM THE HOUSE

Announcing passage of **SB 51, SB 53, SB 57.**

Also passage of **SB 75**, as amended.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Schodorf and Allen introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1833—

A RESOLUTION encouraging participation in the Early Detection Works Program.

WHEREAS, Tuesday, March 6, 2007, is Early Detection Works Day in Kansas. This designation is designed to raise awareness regarding the importance of early detection and prompt treatment of breast and cervical cancer in the state of Kansas; and

WHEREAS, Pink is the color traditionally associated with breast and cervical cancer, and Susan G. Komen for the Cure is encouraging everyone to wear some pink item of clothing on Tuesday, March 6, 2007, in support of all women and men who have experienced breast or cervical cancer in their lives; and

WHEREAS, 1,200 Kansas women will be diagnosed with breast cancer this year, and another 400 Kansas women will die from breast cancer this year; and

WHEREAS, The greatest risk for breast cancer is being female and getting older, and each woman needs to be her own best advocate by engaging in early detection practices, such as having a yearly mammogram after the age of 40, regardless of her ability to pay, having a yearly clinical breast exam by a medical professional, regardless of her ability to pay, and performing a breast self-examination each month; and

WHEREAS, 100 Kansas women will be diagnosed with cervical cancer this year, and another 34 Kansas women will die from cervical cancer this year; and

WHEREAS, The Early Detection Works Program served more than 7,300 Kansas women in 2006 by providing breast and cervical cancer screening and diagnostic services. These services are made available through federal and state funds, with state funds providing services to over 900 women; and

WHEREAS, The Early Detection Works Program is committed to providing services to all women that come to them: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we support the efforts of the Early Detection Works Program in its efforts to provide breast and cervical cancer screening and diagnostic services to all women who meet the guidelines for these important services, and continue to support the Early Detection Works Program with our continued and increased financial support; and

Be it further resolved: That the Secretary of the Senate provide an enrolled copy of this resolution to Janet Neff, Cancer Control Program Director, KDHE, and Teresa Carter, Mid-Kansas Affiliate President, Wichita, Kansas.

On emergency motion of Senator Schodorf **SR 1833** was adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce** recommends **HB 2004** be passed.

Committee on **Judiciary** recommends **HB 2010**, as amended by House Committee, be amended on page 3, in line 40, after "license" by inserting "or nondriver identification card";

On page 22, after line 12, by inserting the following:

"Sec. 28. K.S.A. 8-1328 is hereby amended to read as follows: (a) The identification card shall resemble in appearance, so far as is practicable, a driver's license issued in accordance with K.S.A. 8-243 and amendments thereto and shall adequately describe the registrant. The identification card shall be sealed in transparent plastic or similar substance.

(b) *All Kansas identification cards issued to any person 16 years of age or older shall contain a form which provides a statement for making a gift of all or any part of the body in accordance with the revised uniform anatomical gift act, sections 1 through 24 and K.S.A. 65-3219, and amendments thereto, except as otherwise provided by this subsection. The statement to be effective shall be signed by the applicant in the presence of two witnesses who shall sign the statement in the presence of the donor. The gift becomes effective upon the death of the donor. Delivery of the identification card during the donor's lifetime is not necessary to make a valid gift. Any valid gift statement executed prior to July 1, 2007, shall remain effective until invalidated. The word "Donor" shall be placed on the front of an applicant's identification card, indicating that the statement for making an anatomical gift under this subsection has been executed by such applicant.*;

And by renumbering the remaining sections accordingly;

On page 31, in line 31, after "K.S.A." by inserting "8-1328,";

On page 1, in the title, in line 11, after "K.S.A." by inserting "8-1328,"; and the bill be passed as amended.

REPORT ON ENROLLED BILLS

SB 13 reported correctly enrolled, properly signed and presented to the Governor on March 6, 2007.

SR 1822, SR 1828, SR 1829, SR 1830, SR 1831 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 6, 2007.

COMMITTEE OF THE WHOLE

On motion of Senator D. Schmidt, the Senate resolved itself into Committee of the Whole for consideration of bills on the calendar under the heading of General Orders with Senator Schodorf in the chair.

On motion of Senator Schodorf the following report was adopted:

Recommended **HB 2168** be passed.

The committee report on **SB 194** recommending a **Sub SB 194** be adopted, and the substitute bill be passed.

SB 321, SB 333 be amended by adoption of the committee amendments, and the bills be passed as amended.

SB 136 be amended by motion of Senator Journey on page 1, in line 15, by striking "45 days before an election or" and inserting "during a period commencing 45 days before an election and ending" and **SB 136** be passed as amended.

CHANGE OF REFERENCE

The President withdrew **SB 37** from the Calendar under the heading of General Orders, and rereferred the bill to the Committee on Judiciary.

The President withdrew **SB 26, SB 28** from the Calendar under the heading of General Orders, and rereferred the bills to the Committee on Assessment and Taxation.

The President withdrew **SB 93** from the Calendar under the heading of General Orders, and rereferred the bill to the Committee on Education.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Wednesday, March 7, 2007.

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

PAT SAVILLE, *Secretary of the Senate.*

