

Journal of the Senate

TENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 28, 2008—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,

I have wondered how You would define a good Senator. After pondering some favorable attributes, and using an acrostic presentation, I believe You would be pleased with a Senator who has a

Sense of humor: I think a good Senator should be able to laugh at himself, and a funny clean joke.

Enthusiastic: I can't imagine a good Senator without enthusiasm for his job and for our state.

Noble: Webster defines "noble" as "Of high character and lofty ideals."

Accessible: I believe You, Lord, expect a good Senator will make sure his Mail, E-mail, and phone calls will get a response.

Tyruthful: I believe this does not need an explanation.

Optimistic: I don't believe, O God, that You would approve of a pessimistic Senator.

Resourceful: A Senator who makes the best of what our state has available.

I believe that a good Senator will have all these attributes. Forgive me, Lord, if I've left out a characteristic You think is necessary.

I pray in the Name of Jesus Christ,

AMEN

POINT OF PERSONAL PRIVILEGE

Senator Teichman rose on a Point of Personal Privilege to pay tribute to Mrs. Lois Morehead of Greensburg, KS. Mrs. Morehead works as a Kiowa County Sheriff Dispatcher. When the May 4, 2007 tornado hit the Greensburg community, Mrs. Morehead helped more than 40 people seek safety in a basement of the Best Western Jayhawk Motel. Her heroic efforts were recognized by the Senators with a standing ovation. Also present with Mrs. Morehead were her husband, Gerald Morehead, daughter, Terra Morehead and Dennis Davis, Terra's husband.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 474, An act concerning wildlife and parks; relating to controlled shooting areas; field trials; amending K.S.A. 32-919 and 32-954 and repealing the existing sections, by Committee on Natural Resources.

SB 475, An act concerning wildlife and parks; relating to Kansas hunters feeding the hungry, inc.; amending K.S.A. 2007 Supp. 32-970, 32-980 and 32-995 and repealing the existing sections, by Committee on Natural Resources.

SB 476, An act relating to criminal procedure; concerning arrest for violating condition of probation and conditions of release; amending K.S.A. 22-3716 and K.S.A. 2007 Supp. 75-5217 and repealing the existing sections, by Committee on Judiciary.

SB 477, An act relating to criminal procedure; concerning offender registration; amending K.S.A. 22-4902 and repealing the existing section, by Committee on Judiciary.

SB 478, An act relating to the uniform trust code; concerning irrevocable trust; providing for discretionary acceleration of remainder interest, by Committee on Judiciary.

SB 479, An act relating to crimes and punishment; providing for postrelease supervision for certain offenders; amending K.S.A. 21-4608 and repealing the existing section, by Committee on Judiciary.

SB 480, An act amending Alexa's law; amending K.S.A. 21-3452 and repealing the existing section, by Committee on Judiciary.

SB 481, An act relating to controlled substances; substances included in schedule I; amending K.S.A. 65-4105 and repealing the existing section, by Committee on Judiciary.

SB 482, An act concerning crimes and punishment; relating to substance abuse treatment for certain offenders; amending K.S.A. 21-4705 and 21-4714 and K.S.A. 2007 Supp. 75-5210 and 75-5220 and repealing the existing sections, by Committee on Judiciary.

SB 483, An act concerning criminal procedure; relating to violation of conditions of release; providing for substance abuse treatment; amending K.S.A. 22-3716 and K.S.A. 2007 Supp. 75-5210 and 75-5220 and repealing the existing sections, by Committee on Judiciary.

SB 484, An act concerning crimes and punishment; relating to substance abuse treatment for certain offenders; amending K.S.A. 21-4704 and K.S.A. 2007 Supp. 8-1567, 75-5206, 75-5210 and 75-5220 and repealing the existing sections; also repealing K.S.A. 21-4704b and K.S.A. 2007 Supp. 8-1567b, by Committee on Judiciary.

SB 485, An act concerning counties; enacting the county alternative project delivery building construction procurement act; amending K.S.A. 19-214 and repealing the existing section, by Committee on Ways and Means.

SB 486, An act concerning appointments to certain offices; amending K.S.A. 17-2233, 48-203, 48-208, 65-2878, 65-34a02, 74-2113, 74-2613, 74-5002a, 74-8703, 74-8805, 74-9804, 75-1510, 75-2535, 75-5105 and 75-5117 and K.S.A. 2007 Supp. 32-801, 45-221, 46-2601, 74-560, 75-711, 75-712, 75-1304, 75-2701, 75-3702a, 75-5001, 75-5101, 75-5203, 75-5301, 75-5601, 75-5701, 75-5903, 75-6301, 75-7304 and 75-7402 and repealing the existing sections, by Confirmation Oversight Committee.

SB 487, An act concerning sales taxation; relating to imposition of tax; hunting and sale of game birds; amending K.S.A. 2007 Supp. 79-3603 and 79-3606 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 488, An act concerning housing; concerning the Kansas development finance authority and the Kansas housing resources corporation; authorizing the issuance of mortgage revenue bonds; amending K.S.A. 2007 Supp. 74-8902, 74-8904, 74-8905 and 75-37,125 and repealing the existing sections, by Joint Committee on Economic Development.

SB 489, An act concerning economic development; regarding regional foundation funds; amending K.S.A. 2007 Supp. 74-50,154 and repealing the existing section, by Joint Committee on Economic Development.

SB 490, An act relating to food, drug and cosmetic act; concerning prohibited procedure of administering phosphatidylcholine and sodium deoxycholate by injection; amending K.S.A. 65-656 and 65-657 and repealing the existing sections, by Joint Committee on Administrative Rules and Regulations.

SB 491, An act concerning controlled substances; enacting the prescription monitoring program act; creating the prescription monitoring program advisory committee, by Senators V. Schmidt, Allen, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Petersen, Pine, Reitz, D. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Wagle, Wilson and Wysong.

SB 492. An act concerning teachers; relating to the issuance of teachers' licenses; amending K.S.A. 2007 Supp. 72-1397 and repealing the existing section, by Committee on Education.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 473.**

Financial Institutions & Insurance: **SB 472.**

MESSAGE FROM THE GOVERNOR

January 17, 2008

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Directive No. 08-387 for your information.

Sincerely,

KATHLEEN SEBELIUS
Governor

The President announced Executive Directive No. 08-387, Authorizing Fund Transfers, is on file in the office of the Secretary of the Senate and is available for review at anytime.

COMMUNICATIONS FROM STATE OFFICERS

KANSAS BOARD OF REGENTS

January 15, 2008

As stipulated in KSA 75-7226, Bradley S. Williams, M.S., Chief Information Officer, Kansas Executive Director, submitted the 2007 Annual Report.

KANSAS HEALTH POLICY AUTHORITY

January 23, 2008

In accordance with KSA 75-7427, the Kansas Health Policy Authority (KHPA) Office of Inspector General (OIG) Annual Report was submitted by Robin J. Kempf, Inspector General.

KANSAS, INC.

Gene Argo, Co-Chair, Kansas, Inc., submitted the 2007 Annual Report.

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 passage of **SB 65**, as amended.

REPORT ON ENROLLED BILLS

SR 1804 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 28, 2008.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **SB 48** be amended on page 2, in line 5, after "felony" by inserting "or misdemeanor"; and the bill be passed as amended.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Tuesday, January 29, 2008.

HELEN MORELAND, CHARLENE BAILEY, PAT MATZEK, *Journal Clerks.*

PAT SAVILLE, *Secretary of the Senate.*

