

Journal of the Senate

SEVENTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 3, 2010—2:30 p.m.

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

Heavenly Father,

May I be so bold as to suggest some characteristics of a faithful Senator?

S	teadfast in my convictions	I Corinthians 15:58
E	ncouraging to the discouraged	Deuteronomy 3:28
N	oble in my relationships	Acts 17:11
A	ttentive to the Word of God	Luke 19:47-48
T	rue to my word	I Kings 22:16
O	bedient to God	Exodus 24:7
R	epent of my sins	Luke 13:3

I humbly suggest these behaviors 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 516, An act concerning taxation; relating to tax upon cigarettes and tobacco products, rates; rate of sales taxation; amending K.S.A. 79-3371 and 79-3378 and K.S.A. 2009 Supp. 79-3301, 79-3310, 79-3310c, 79-3311, 79-3312, 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 517, An act amending the Kansas automobile injury reparation act; concerning certain reinstatement fees; amending K.S.A. 2009 Supp. 40-3104 and 40-3118 and repealing the existing sections, by Senator Faust-Goudeau.

SB 518, An act relating to motor vehicles; concerning vehicle identification number inspection fees; amending K.S.A. 2009 Supp. 8-116a and repealing the existing section, by Committee on Federal and State Affairs.

SB 519, An act concerning courts; relating to electronic communication and payment; amending K.S.A. 19-4716, 20-365, 22-2502, 22-2504 and 59-2203 and K.S.A. 2009 Supp. 8-2118, 28-172a and 38-2305 and repealing the existing sections, by Committee on Judiciary.

SB 520, An act concerning criminal procedure; relating to employment of county and city prisoners; amending K.S.A. 22-4603 and repealing the existing section, by Committee on Judiciary.

SB 521, An act concerning the secretary of corrections; relating to qualifications; amending K.S.A. 2009 Supp. 75-5203 and repealing the existing section, by Committee on Judiciary.

SB 522. An act concerning stepparent adoptions; relating to consent of a parent; amending K.S.A. 2009 Supp. 59-2136 and repealing the existing section, by Committee on Judiciary.

SB 523. An act concerning crimes, punishment and criminal procedure; enacting the Kansas racketeer influenced and corrupt organization act; amending K.S.A. 2009 Supp. 60-4104 and repealing the existing section, by Senators Petersen and Schodorf.

SB 524. An act concerning crimes, punishment and criminal procedure; relating to unlawful sexual relations; sentencing; offender registration; traffic in contraband in a correctional institution; amending K.S.A. 21-3520 and K.S.A. 2009 Supp. 21-3826, 21-4704 and 22-4902 and repealing the existing sections, by Legislative Post Audit Committee.

SB 525. An act concerning the fair hospital charges act, by Committee on Public Health and Welfare.

SB 526. An act concerning the department of administration; concerning competitive bids; preferring bids from within the state; amending K.S.A. 2009 Supp. 75-3740 and repealing the existing section, by Committee on Ways and Means.

SB 527. An act concerning retirement and pensions; relating to the Kansas public employees retirement system and certain systems thereunder; federal nontaxable distributions to certain retirants, by Committee on Ways and Means.

SB 528. An act concerning property valuation; regarding appeals; burden of proof; amending K.S.A. 2009 Supp. 74-2433f, 74-2438, 79-1448, 79-1606, 79-1609 and 79-2005 and repealing the existing sections, by Committee on Ways and Means.

SB 529. An act concerning the employment security law; pertaining to the maximum weekly benefit; amending K.S.A. 2009 Supp. 44-704 and repealing the existing section, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Commerce: **SB 511.**

Education: **SB 514; SR 1812.**

Federal and State Affairs: **SB 513.**

Financial Institutions & Insurance: **SB 503.**

Judiciary: **SB 504; SCR 1626.**

Natural Resources: **SB 510.**

Public Health and Welfare: **SB 505, SB 506, SB 508, SB 509.**

Transportation: **SB 502, SB 515.**

Ways and Means: **SB 507, SB 512.**

CHANGE OF REFERENCE

The President withdrew **SB 514** from the Committee on **Education**, and referred the bill to the Committee on **Federal and State Affairs**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2411, HB 2500, HB 2503.**

The House adopts the conference committee report on **HB 2195.**

Announcing passage of **Substitute SB 48** as amended by **House Substitute for Substitute SB 48.**

Also, announcing rejection of **SB 298.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2411, HB 2500, HB 2503; House Substitute for Substitute SB 48 were thereupon introduced and read by title.

ORIGINAL MOTION

Pursuant to Senate Rule 75, President Morris determined **House Substitute for Substitute SB 48**, as amended by the House, to be materially changed.

President Morris referred the bill to the Committee on **Utilities**.

REPORT ON ENGROSSED BILLS

SB 391, SB 393, SB 394 reported correctly engrossed February 3, 2010.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **SB 376** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Also **SCR 1621** be adopted.

SCR 1615 be amended on page 1, in line 29, by striking "2009" and inserting "2010";

On page 2, in line 20, after "Senate," by inserting "the Majority Leader of the United States Senate,"; and the concurrent resolution be adopted as amended.

Committee on **Public Health and Welfare** recommends **SB 449** be amended on page 1, preceding line 14, by inserting the following:

"Section 1. K.S.A. 65-6504 is hereby amended to read as follows: 65-6504. (a) On or after September 1, 1992, it shall be unlawful for any person to engage in the practice of speech-language pathology or audiology in the state of Kansas unless such person has been issued a valid license pursuant to this act or is specifically exempted from the provisions of this act. It shall be unlawful for any person to hold oneself out to the public as a "speech pathologist," "speech therapist," "speech correctionist," "speech clinician," "language pathologist," "voice therapist," "voice pathologist," "logopedist," "communicologist," "aphasiologist," "phoniatrist," "audiologist," "audiometrist," "hearing therapist," "hearing clinician," "hearing aid audiologist," or any variation, unless such person is licensed under this act as a speech-language pathologist or audiologist.

(b) No person licensed under this act shall be authorized to engage in the practice of dispensing and fitting hearing aids as defined under K.S.A. 74-5807 and amendments thereto unless such person is also licensed or holds a certificate of endorsement under the hearing aid act to engage in the practice of dispensing and fitting hearing aids.

(c) Persons licensed under this act to engage in the practice of speech-language pathology or audiology shall not be deemed to be engaged in the practice of the healing arts when practicing under and in accordance with this act.

(d) *Persons licensed under this act to engage in the practice of audiology with doctorate degrees shall use the appropriate words or letters, such as "AuD," "PhD," "EdD" and "ScD," when using the letters or term "Dr." or "Doctor" to identify themselves.*;

And by renumbering the remaining sections accordingly;

Also on page 1, in line 14, by striking "Section" and inserting "Sec."; in line 17, by striking "Possession" and inserting "Except as otherwise provided in subsection (b), possession"; in line 25, preceding "completion" by inserting "except as otherwise provided in subsection (c)."; in line 35, following "(a)" by inserting "(1)"; in line 38, preceding "(3)" by inserting "(a)"; in line 39, by striking "65-6505 is" and inserting "65-6504 and 65-6505 are";

In the title, in line 10, following "licensure" by inserting "and representation"; also in line 10, following "K.S.A." by inserting "65-6504 and"; in line 11, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **HB 2414** be amended on page 3, in line 3, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Thursday, February 4, 2010.

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

PAT SAVILLE, *Secretary of the Senate.*

