

Journal of the Senate

THIRTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 2, 2010—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,
Your apostle Paul in his Philippian letter
Said "Rejoice in the Lord" two times.
But he said it when he was in prison
And had never committed a crime!
We learn a lesson from the apostle Paul,
That when things are going wrong:
Regardless of how bad things can get,
We can joyfully sing a glad song.
The second time Paul said it,
He said, "Rejoice in the Lord always."
Thus emphasizing that those who are suffering
Can still rejoice and sing praise!
He also said that those who rejoice
Will experience an additional blessing:
The peace of God will guard our hearts,
And not experience depressing.
So when it looks like everything's going wrong,
And nothing is going right,
Remember what God has done for us,
And rejoice and have peace day and night!
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 bill was introduced and read by title:

SB 562. An act providing for assessments on providers of certain home and community-based services; prescribing powers, duties and functions for the Kansas health policy authority; creating the waiver provider fee fund; providing for implementation and administration, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:
Commerce: **Sub HB 2538.**

Local Government: **SB 561**.
Ways and Means: **SB 560**.

REFERRAL OF APPOINTMENTS

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

Commissioner, State Corporation Commission:

Ward E. Loyd, effective upon the date of confirmation by the Senate, to serve a term of four years.

(Utilities)

CHANGE OF REFERENCE

The President withdrew **Sub SB 301** from the calendar under the heading of General Orders, and rereferred the bill to the Committee on **Federal and State Affairs**.

The President withdrew **SB 495** from the calendar under the heading of General Orders, and rereferred the bill to the Committee on **Commerce**.

CONSIDERATION OF MOTIONS TO CONCUR OR NONCONCUR

On motion of Senator Barnett the Senate nonconcurred in the House amendments to **SB 62** and requested a conference committee be appointed.

The President appointed Senators Barnett, V. Schmidt and Haley as a conference committee on the part of the Senate.

On motion of Senator Taddiken the Senate nonconcurred in the House amendments to **H Sub for SB 316** and requested a conference committee be appointed.

The President appointed Senators Taddiken, Ostmeier and Francisco as a conference committee on the part of the Senate.

ORIGINAL MOTION

On motion of Senator Owens, the Senate acceded to the request of the House for a conference on **S Sub for HB 2476**.

The President appointed Senators Owens, D. Schmidt and Haley as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Pilcher-Cook, Brownlee, Bruce, Colyer, Kelsey, Masterson, Ostmeier, Petersen, Taddiken and Wagle introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 182S—

By Senators Pilcher-Cook, Brownlee, Bruce, Colyer, Kelsey, Masterson, Ostmeier,
Petersen, Taddiken and Wagle

A RESOLUTION in support of religious freedom for Coptic Christians

WHEREAS, Coptic Christians are a Christian minority comprising approximately 10% of the Egyptian population and are an integral part of Egyptian society; and

WHEREAS, Egypt's Coptic Christian population is a victim of a systematic pattern of violence, including attacks as recently as January 6, 2010; and

WHEREAS, The United States Department of State's 2009 Report on International Religious Freedom states that the status of the Egyptian government's respect for religious freedom "declined somewhat during the reporting period based on a failure to investigate and prosecute perpetrators of increased incidents of sectarian violence"; and

WHEREAS, The foundation of the United States Constitution and the Kansas Constitution are freedom and justice: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the Senate of the state of Kansas urges the Egyptian government to provide better protection for the Coptic Christian population by investigating and prosecuting those who perpetrate violence against Coptic Christians, by compensating victims of such violence and by protecting and preserving Coptic Christian places of worship; and

Be it further resolved: That the Senate of the State of Kansas urges the Egyptian government to stop discriminatory practices that affect the Coptic Christian population, including the difficulty in building and repairing places of worship, the lack of representation in certain government bodies and the continued harassment of converts; and

Be it further resolved: That the Senate of the State of Kansas urges the Egyptian government to prevent incidences of religious intolerance by providing equal protection of the law and equal rights for all Egyptians, and by effectively prosecuting any such incidents that occur; and

Be it further resolved: That the Secretary of the Senate be directed to send enrolled copies of this resolution to the United States Secretary of State and the Kansas Congressional delegation.

REPORT ON ENROLLED BILLS

SR 1825, SR 1826 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 26, 2010.

REPORTS OF STANDING COMMITTEES

Committee on **Business and Labor** recommends **HB 2676**, as amended by House Committee, be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2676," as follows:

"SENATE Substitute for HOUSE BILL No. 2676

By Committee on Business and Labor

"AN ACT concerning the employment security act; creating an assessment for the payment of interest on advances received from the federal government; pertaining to negative account balance employers; pertaining to employer contributions and contribution rates; pertaining to benefits and eligibility therefor; pertaining to duties of the secretary of labor; amending K.S.A. 2009 Supp. 44-704, 44-705, 44-706, 44-710, 44-710a and 44-717 and repealing the existing sections.;"

and the substitute bill be passed.

Committee on **Education** recommends **SB 359** be amended on page 1, in line 34, after "per" by inserting "special";

On page 2, in line 7, after "thereto" by inserting ", or aid received under federal law"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **HB 2608** be amended on page 1, in line 19, before "commissioner" by inserting "bank";

On page 2, in line 29, by striking "appropriated" and inserting "appropriate"; in line 30, by striking "on" and inserting "an"; also in line 30, after "assessment" by inserting a comma; and the bill be passed as amended.

Also, **HB 2609**, as amended by House Committee, be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Transportation** recommends **HB 2555** be passed.

Committee on **Utilities** begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

State Corporation Commission: K.S.A. 74-601

Thomas Wright, term expires March 15, 2014

Committee on **Ways and Means** recommends **HB 2415** be amended on page 1, in line 33, after the period by inserting "A state educational institution shall sell, trade-in or dispose of such personal property in accordance with policies adopted by the state board of regents.;" and the bill be passed as amended.

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 V. Schmidt in the chair.

On motion of Senator V. Schmidt the following report was adopted:

Recommended **SB 541**; **HB 2436** be passed.

SB 494; **HB 2323**, **HB 2500**, **HB 2501** be amended by adoption of the committee amendments, and the bills be passed as amended.

SB 399 be passed over and retain a place on the calendar.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Wednesday, March 3, 2010.

HELEN MORELAND, ROSE MARIE GLATT, SHIRLEY LAMOTT, *Journal Clerks*.
PAT SAVILLE, *Secretary of the Senate*.

