

# Journal of the Senate

## SEVENTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Wednesday, January 19, 2011 — 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,

Senators are in session  
Three months of the year.  
But they serve all twelve months.  
(We need to make that clear.)

Most of them have other jobs.  
Some are way out west;  
And all the ones I know  
Do their very best.

Most of them have families  
Who also need attention,  
And problems rear their head  
Too numerous to mention.

Add to that the criticisms  
All of them endure.  
Some critics have no limit  
To raise the temperature.

I know the critics have a right  
To make their feelings known,  
But I think we'd all be better off  
If we prayed more than we groaned.

Bless all the Senators, Lord,  
Give them a portion of Your grace.  
Strengthen and encourage them  
To make our state a better place.

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 bills were introduced and read by title:

**SB 31**, AN ACT concerning campaign finance; relating to electioneering communication; establishing certain reporting requirements, by Committee on Ethics and Elections.

**SB 32**, AN ACT concerning school districts; relating to at-risk pupils; amending K.S.A. 2010 Supp. 72-6414 and repealing the existing section, by Special Committee on Education.

**SB 33**, AN ACT concerning school districts; enacting the school sports head injury prevention act, by Committee on Public Health and Welfare.

**SB 34**, AN ACT concerning driver's licenses; relating to habitual violators; motorized bicycles; amending K.S.A. 8-286 and 8-288 and K.S.A. 2010 Supp. 8-235 and 8-287 and repealing the existing sections, by Committee on Judiciary.

**SB 35**, AN ACT concerning civil procedure; relating to attorney-client privilege and work-product protection; amending K.S.A. 60-426 and K.S.A. 2010 Supp. 60-3003 and repealing the existing sections, by Committee on Judiciary.

**SB 36**, AN ACT concerning civil procedure; relating to exemption from creditors for certain retirement plans; amending K.S.A. 60-2308 and repealing the existing section, by Committee on Judiciary.

**SB 37**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; payment of fines; employment of county and city prisoners; amending K.S.A. 22-4603 and section 244 of chapter 136 of the 2010 Session Laws of Kansas and repealing the existing sections; also repealing K.S.A. 2009 Supp. 21-4603d, as amended by section 7 of chapter 101 of the 2010 Session Laws of Kansas, and K.S.A. 2010 Supp. 21-4603d, by Committee on Judiciary.

**SB 38**, AN ACT concerning children; relating to permanency; priority of certain orders; amending K.S.A. 2010 Supp. 38-1116, 38-1121, 38-2201, 38-2203, 38-2262, 38-2284, 38-2304 and 60-1610 and repealing the existing sections, by Committee on Judiciary.

#### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to Committees as indicated:

Education: **SB 27**, **SB 28**.

Federal and State Affairs: **SB 25**, **SB 26**.

Judiciary: **SB 23**, **SB 24**.

Public Health and Welfare: **SB 29**

Utilities: **SB 30**

**REFERRAL OF APPOINTMENTS**

The following appointments made by the Governor and submitted to the Senate for confirmation, was referred to Committees as indicated:

*Adjutant General:*

Lee Tafanelli, effective upon the date of confirmation by the Senate to serve at the pleasure of the Governor.

(Federal and State Affairs)

*Department of Administration, Secretary:*

Dennis Taylor, effective upon the date of confirmation by the Senate to serve at the pleasure of the Governor.

(Ways and Means)

*Department of Agriculture, Secretary:*

Dale Rodman, effective upon the date of confirmation by the Senate to serve at the pleasure of the Governor.

(Agriculture)

*Department of Commerce, Secretary:*

Pat George, effective upon the date of confirmation by the Senate to serve at the pleasure of the Governor.

(Commerce)

*Department of Labor, Secretary:*

Karin Brownlee, effective upon the date of confirmation by the Senate to serve at the pleasure of the Governor.

(Commerce)

*Department of Revenue, Secretary:*

Nick Jordan, effective upon the date of confirmation by the Senate to serve at the pleasure of the Governor.

(Committee on Assessment and Taxation)

*Securities Commission, Commissioner:*

Aaron Jack, effective upon the date of confirmation by the Senate to serve at the pleasure of the Governor.

(Financial Institutions and Insurance)

**COMMUNICATIONS FROM STATE OFFICERS****KANSAS HEALTH POLICY AUTHORITY**

January 13, 2011

In compliance with KSA 75-6509, Mike Michael, Deputy Director, State Employee Health Plan, submitted a compact disc (cd) containing the Kansas State Employees Health Care Commission 2010 Annual Report.

The President announced the compact disc is on file in the office of the Secretary of the Senate and available for review any time.

On motion of Senator Emler, the Senate recessed until 3:10 p.m.

**CONFIRMATION OF APPOINTMENTS**

In accordance with Senate Rule 56, the following appointments, submitted by the Governor and Senate Minority Leader were considered.

Senator Emler moved the following appointments be confirmed as recommended by the Standing Senate Committees:

*By the Governor:*

On the appointment to the:

*State Board of Regents:*

A.E. McKechnie, term expires June 30, 2014

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*State Board of Regents:*

Timothy R. Emert, term expires June 30, 2014

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*State Board of Regents:*

Mildred Edwards, term expires June 30, 2014

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*Kansas National Guard, Brigadier General:*

Colonel Victor Braden, serves at the pleasure of the Governor

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*Kansas National Guard, Brigadier General:*

Colonel Bradley Link, serves at the pleasure of the Governor

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*Kansas National Guard, Brigadier General:*

Colonel Eric Peck, serves at the pleasure of the Governor

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*Kansas National Guard, Brigadier General:*

Colonel Lee Tafanelli, serves at the pleasure of the Governor

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*Kansas Technology Enterprise Corporation:*

Kenneth Frahm, term expires January 15, 2014

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*State Banking Board:*

Dale Koch, term expires March 15, 2012

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*State Civil Service Board:*

Wilbert J. Leiker, term expires March 15, 2013

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*University of Kansas Hospital Authority:*

Charles Sunderland, term expires March 15, 2013

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*University of Kansas Hospital Authority:*

Robert Regnier, term expires March 15, 2013

On roll call, the vote was: Yeas 26, Nays 5, Present and Passing 9, Absent or Not Voting 0.

Yeas: Apple, Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Lee, Longbine, Marshall, Masterson, McGinn, Morris, Owens, Reitz, Schmidt, Schodorf, Steineger, Teichman, Umbarger, Vratil.

Nays: Abrams, Merrick, Olson, Pilcher-Cook, Pyle.

Present and Passing: Bruce, Donovan, Kelsey, Love, Lynn, Ostmeyer, Petersen, Taddiken, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*Kansas Human Rights Commission:*

Clyde Howard, term expires January 15, 2013

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*Securities Commissioner:*

Marc S. Wilson, serves at the pleasure of the Governor

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*Kansas Human Rights Commission:*

Antonio Villegas, term expires January 15, 2013

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick,

Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*Kansas, Inc.:*

Lawrence L. McCants, term expires January 15, 2013

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*Kansas, Inc.:*

Donald P. Schnacke, term expires January 15, 2014

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*State Board of Indigent Defense Services:*

James Colgan, term expires January 15, 2012

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*State Board of Indigent Defense Services:*

John Weber, term expires January 15, 2013

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King,



Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor:*

On the appointment to the:

*State Court of Tax Appeals:*

Trevor Wohlford, Judge, term expires January 15, 2013

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Governor*

On the appointment to the:

*Pooled Money Investment Board:*

Betty Ann Corbin, term expires March 15, 2014

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

*By the Minority Leader of the Senate:*

On the appointment to the:

*Kansas Health Policy Authority:*

Raymond Davis, term expires March 15, 2011

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lee, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

## **INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS**

Senator Bruce introduced the following Senate resolution, which was read:

SENATE RESOLUTION No.1806—

A RESOLUTION recognizing January 21, 2011, as Dentist Appreciation Day.

WHEREAS, the 10th Kansas Mission of Mercy Dental Project will be held on January 21 and 22 of 2011 in Hutchinson, Kansas; and

WHEREAS, the Kansas Mission of Mercy held its first Kansas Mission of Mercy Dental Project in Garden City in February 2003, and since then, has held eight other projects in Garden City, Kansas City, Pittsburg, Wichita, Salina, Topeka, Manhattan, and Independence; and

WHEREAS, the Kansas Mission of Mercy Dental Project was created to provide free dental care to low-income patients across Kansas; and

WHEREAS, the Kansas Mission of Mercy Dental Project provides cleanings, fillings and extractions, and other dental services at no cost to both children and adults; and

WHEREAS, at the nine Kansas Mission of Mercy Dental Projects to date, 521 Kansas dentists have volunteered and provided free dental care; and

WHEREAS, through the nine Kansas Mission of Mercy Dental Projects, Kansas dentists have treated more than 17,500 patients with free dental care valued at more than \$8.5 million; and

WHEREAS, the Kansas Mission of Mercy Dental Project has been integral to the creation of a nationwide dental Mission of Mercy effort; and

WHEREAS, the Kansas Mission of Mercy Dental Project is a project of the Kansas Dental Charitable Foundation; and

WHEREAS, the Kansas Dental Association founded the Kansas Dental Charitable Foundation in 2002 as a 501(c)(3) foundation: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we hereby recognize January 21, 2011, as Dentist Appreciation Day to honor the charitable spirit of Kansas dentists who have given countless hours to provide free dental care through the Kansas Mission of Mercy Dental Projects.

*Be it further resolved:* That the Secretary of the Senate shall send six enrolled copies of this resolution to Senator Bruce.

On emergency motion of Senator Bruce **SR 1806** was adopted unanimously.

In recognition of January 21, 2011 as Dentist Appreciation Day, Senator Bruce introduced the following dentists; Max McReynolds, Humboldt, Statewide KMOM Chairman, Jeff Stasch, Garden City, KMOM Founder, Jon Tilton, Wichita, KMOM Founder and Dave Hammell, KDA President.

Senator Owens introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. SR 1807—

A RESOLUTION urging the Government of Turkey to uphold and safeguard religious and human rights without compromise; ease its discrimination of the Ecumenical Patriarchate; grant the Ecumenical Patriarch appropriate international recognition; ecclesiastic succession and the right to train clergy of all nationalities; and respect the property rights and human rights of the Ecumenical Patriarchate.

WHEREAS, The Orthodox Christian Church, in existence for nearly 2,000 years, numbers approximately 300 million members worldwide with more than 2 million members in the United States; and

WHEREAS, Since 1453, the continuing presence of the Ecumenical Patriarchate in Turkey has been a living testament to the religious coexistence of Christians and Muslims; and

WHEREAS, This religious coexistence is in jeopardy because the Ecumenical Patriarchate is considered a minority religion by the Turkish government; and

WHEREAS, The Government of Turkey has limited the candidates available to hold the office of Ecumenical Patriarch to only Turkish nationals and from the millions of Orthodox Christians living in Turkey at the turn of the 20th century and due to the continued policies during this period by the Turkish government, there remain less than 3,000 of the Ecumenical Patriarch's flock left in Turkey today; and

WHEREAS, The Government of Turkey closed the Theological School on the island of Halki in 1971 and has refused to allow it to reopen, thus impeding training for Orthodox Christian clergy; and

WHEREAS, The Turkish government has confiscated nearly 94% of the Ecumenical Patriarchate's properties and has placed a 42% tax, retroactive to 1999, on the Baloukli Hospital and Home for the Aged, a charity hospital run by the Ecumenical Patriarchate; and

WHEREAS, The European Union, a group of nations with a common goal of promoting peace and the well-being of its peoples, began accession negotiations with Turkey on October 3, 2005; and

WHEREAS, The European Union defined membership criteria for accession at the Copenhagen European Council in 1993, obligating candidate countries to achieve certain levels of reform, including stability of institutions guaranteeing democracy, adherence to the rule of law and respect for and protection of minorities and human rights; and

WHEREAS, The Turkish government's current treatment of the Ecumenical Patriarchate is inconsistent with the membership conditions and goals of the European Union; and

WHEREAS, Orthodox Christians in Kansas and throughout the United States stand to lose their spiritual leader because of the continued actions of the Turkish government; and

WHEREAS, The Archons of the Ecumenical Patriarchate of the Order of St. Andrew the Apostle, a group of laymen who each have been honored with a patriarchal title, or "offikion," by the Ecumenical Patriarch for their outstanding service to the Orthodox Church, will send an American delegation to Turkey to meet with Turkish government officials, as well as the United States Ambassador to the Republic of Turkey, regarding the Turkish government's treatment of the Ecumenical Patriarchate: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we urge the Government of Turkey to uphold and safeguard religious and human rights without compromise; cease its discrimination of the Ecumenical Patriarchate; grant the Ecumenical Patriarch appropriate international recognition, ecclesiastic succession and the right to train clergy of all nationalities; and respect the property rights and human rights of the Ecumenical Patriarchate; and

*Be it further resolved:* That the Secretary of the Senate is directed to provide an enrolled copy of this resolution to the President of the United States, the United States Ambassador to the Republic of Turkey, the Ambassador of the Republic of Turkey to the United States and to the members of the Kansas Congressional Delegation.

#### **REPORTS OF STANDING COMMITTEES**

Committee on **Public Health and Welfare** 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:

Member, Kansas Health Policy Authority: K.S.A. 2010 Supp 75-7401

David Sanford, serves a term ending March 15, 2013

#### **REPORT OF ENROLLED BILLS**

**SR 1804**, **SR 1805** reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 19, 2011.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Thursday, January 20, 2011.

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

PAT SAVILLE, *Secretary of the Senate.*

