

Journal of the Senate

THIRTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 25, 2002—2:30 p.m.

The Senate was called to order by President Dave Kerr.
The roll was called with thirty-eight senators present.
Senators Lyon and Schodorf were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

I was reading in the book of Leviticus the other day and came across some Old Testament laws in the 19th chapter which still hold true in our relationship with others today. These are just a few of them which it seems to me we should be reminded of periodically.

Do not steal. Do not lie. Do not deceive one another. Do not defraud your neighbor or rob him. Do not curse the deaf or put a stumbling block in front of the blind.

Do not show partiality to the poor or favoritism to the great, but judge your neighbor fairly.

Do not go about spreading slander among your people.

Do not hate your brother in your heart. Rebuke your neighbor frankly so you will not share in his guilt.

Do not seek revenge or bear a grudge against one of your people, but love your neighbor as yourself.

Do not use dishonest standards when measuring length, weight, or quantity.

The alien living among you must be treated as one of your native-born. Love him as yourself.

Rise in the presence of the aged, show respect for the elderly and revere your God.

I thank You for these reminders in Jesus' Name,

AMEN

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 633, An act concerning crimes, criminal procedure and punishment; relating to sexual exploitation of a child; amending K.S.A. 2001 Supp. 21-3516 and repealing the existing section, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **HB 2768**.

Elections and Local Government: **HB 2670**, **HB 2727**, **HB 2747**.

Federal and State Affairs: **SB 632**; **HB 2741**.

Financial Institutions & Insurance: **HB 2247**.

Judiciary: **HB 2698**.

Transportation: **HB 2693**, **HB 2699**, **HB 2794**.

Ways and Means: **HB 2619**.

MESSAGE FROM THE GOVERNOR

February 21, 2002

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as Governor of the State of Kansas as of February 21, 2002, pursuant to law.

BILL GRAVES
Governor

Member, Employment Security Board of Review, Dan C. McClenney, pursuant to the authority vested in me by KSA 44-709, effective upon the date of confirmation by the Senate to serve a four-year term ending March 15, 2006.

Member, Kansas Export Loan Guarantee Board of Review, LaVon G. Wenger, pursuant to the authority vested in me by KSA 74-5073, effective upon the date of confirmation by the Senate to serve a four-year term ending January 15, 2006.

Member, Kansas Corporation Commission, Brian J. Moline, pursuant to the authority vested in me by KSA 74-601, effective upon the date of confirmation by the Senate to serve a four-year term ending March 15, 2006.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2676; Substitute HB 2686; HB 2767.**
The House concurs in Senate amendments to **HB 2603.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2676; Substitute HB 2686; HB 2767 were thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **SB 453** be passed.

Committee on **Natural Resources** recommends **SB 430** be amended on page 1, in line 18, by striking "or a Christian Science practitioner listed"; in line 19, by striking "in the Christian Science journal"; in line 36, by striking the comma and inserting "or"; also in line 36, by striking "or a"; in line 37, by striking "Christian Science practitioner listed in the Christian Science journal"; and the bill be passed as amended.

Also, **SB 431** be amended on page 5; in line 11, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

SB 504 be amended on page 1, in line 28, by striking "Completion" and inserting "Prior to July 1, 2005, completion"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 418** be amended on page 5, in line 2, by striking all after "ministrator"; in line 3, by striking all before "by" the first time it appears; also in line 3, before "this" by inserting "an agency of"; in line 4, before "another" by inserting "an agency of"; also in line 4, by striking "or jurisdiction" and inserting "that regulates nursing; physical, occupational or respiratory therapy; dietitians; social work or physician assistants"; and the bill be passed as amended.

Also, **SB 447** be amended on page 2, after line 25 by inserting the following:

"Sec. 4. K.S.A. 65-2813 is hereby amended to read as follows: 65-2813. Five members of the board shall hold a degree of doctor of medicine from an accredited medical school and shall be residents of and have been actively engaged in the practice of medicine and surgery in the state of Kansas under license issued in this state, for a period of at least six consecutive years immediately preceding their appointment; three members shall hold a degree of doctor of osteopathy from an accredited school of osteopathic medicine and surgery and shall be residents of and have been actively engaged in the practice of osteopathic medicine and surgery in the state of Kansas under license issued in this state, for a period of at least six consecutive years immediately preceding their appointment; three members shall hold a degree of doctor of chiropractic from an accredited school of chiropractic and shall be residents of and have been actively engaged in the practice of chiropractic in the state of Kansas under license issued in this state, for a period of at least six consecutive years immediately preceding their appointment; one member shall be a licensed podiatrist and shall be a resident of and have been actively engaged in the practice

of podiatry in the state of Kansas under license issued in this state for a period of at least six consecutive years immediately preceding appointment; ~~and. For the duration of such member's term, licensed appointees to the board shall be residents of the state of Kansas, maintain a primary residence in the state of Kansas and remain actively engaged in the practice of such member's profession and reside in such member's primary residence an average of nine months annually. And~~ three members shall be appointed to represent the general public of this state. Subject to the provisions of K.S.A. ~~1992 Supp.~~ 75-4315c, ~~and amendments thereto~~, no two of the members representing the general public shall be from the same United States congressional district. No member representing the general public shall be the spouse of a licensee of the healing arts or a person or the spouse of a person who has a financial interest in any person's practice of the healing arts.”;

Also on page 2, in line 26, after “65-2016” by inserting “,65-2813”;

And by renumbering sections 4 and 5 accordingly;

On page 1, in the title, in line 10, following the semicolon by inserting “relating to the qualifications of members;”; in line 11, after “65-2016” by inserting “,65-2813”; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 619** be amended on page 2, in line 2, by striking “30” and inserting “10” and the bill be passed as amended.

On motion of Senator Oleen the Senate adjourned until 2:30 p.m., Tuesday, February 26, 2002.

HELEN A. MORELAND, *Journal Clerk*.

PAT SAVILLE, *Secretary of Senate*.

