

Journal of the Senate

THIRTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 1, 2002—9:30 a.m.

The Senate was called to order by President Dave Kerr.

The roll was called with twenty-one senators present.

Senators Adkins, Allen, Barnett, Brungardt, Corbin, Donovan, Downey, Emler, Gilstrap, Goodwin, Harrington, Huelskamp, Jordan, O'Connor, Pugh, Schodorf, Taddiken, Tyson and Wagle were excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Ever since I was elected
I have used my voice a lot.
It's the way I tell the people
What I'm for and what I'm not.

I use it for the questions
Which I ask a conferee;
And I use it with my colleagues
When I disagree.

I use it for reporters
When I give an interview;
And I use it for the lobbyists
When they want my point of view.

Sometimes I speak quite slowly,
But to keep my bill alive,
I'll talk sixty miles an hour,
With gusts to ninety-five!

But, I need to be reminded
That it's really not a crime
To sometimes sit and listen
And not be talking all the time.

So let me learn a lesson
When my voice is getting weak:
Why You gave two things to hear with,
And only one with which to speak!

I thank You in Jesus' Name,

AMEN

PRESENTATION OF PETITIONS

The following petitions were presented, read and filed:

SP 2, by Senator Lana Oleen: A petition Urging the Kansas Legislature to protect the Geary and Riley County Community of Interest when drawing new Congressional boundaries, signed by Robert W. Clowe and 44 other citizens of Junction City, Kansas.

SP 3, by Senator James Barnett: A petition Urging the Kansas Legislature to protect the Geary and Riley County Community of Interest when drawing new congressional boundaries, signed by Evelyn Avery and 22 other citizens of Junction City and Milford, Kansas.

POINT OF PERSONAL PRIVILEGE

Mr. President, Senator Hensley and Senate colleagues:

This morning I am honored; humbled; personally elevated to present a former member of this Chamber...my father, George W. Haley, now of Silver Spring, Maryland.

Much of what I am today is directly attributable to this one man. His values, including being a responsible and loving father (as he is to me and to my sister, Anne...an attorney in L.A.); a committed husband (as he is to my mother, Doris and I try to be to my wife, Michelle!); and to treat every person you meet with tolerance and patience and to persevere with goals and ideals you hold dear and one day they will be accomplished...Mr. President these are my father's values and values which I have inherited through him.

A role model to myself and countless other young people, George Haley after graduating high school, served in the U.S. Air Force and graduated from Morehouse College, in Atlanta, Georgia (as I later would) and law school (as I later would) though he attended the University of Arkansas.

He served as Assistant City Attorney of Kansas City, Kansas and as a lawyer in private practice before becoming the first Black person elected to the Kansas Senate in 1964; despite being Republican in strongly Democratic Wyandotte County. After serving in the Senate, he would go on to serve in different capacities during five presidential administrations (Presidents Nixon, Ford, Reagan, Bush and Clinton) culminating as the U.S. Ambassador to the Gambia, West Africa. (where our family history was traced to Kunta Kinteh by his brother, author Alex Haley's, book *Roots*).

Before *Roots*, Uncle Alex wrote of a man in an article called *The Man Who Wouldn't Quit* published in the Reader's Digest.

This story, which chronicled the struggles of one man to overcome adversity and hatred to finish law school, was the story of my father. I have learned from him to tolerate and to persevere and to forgive and to be patient and to love.

I am, again, honored and blessed to have him as my father and role model and humbly ask the Senate in joining me to welcome him....Ambassador George W. Haley.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Commerce: **HB 2719, HB 2729; Sub HB 2872; HB 2962.**

Education: **HB 2353, HB 2820, HB 2821, HB 2831, HB 2844, HB 2953.**

Elections and Local Government: **HB 2708, HB 2761, HB 2787.**

Natural Resources: **HB 2703, HB 2830.**

Financial Institutions & Insurance: **HB 2640, HB 2709, HB 2807.**

Judiciary: **Sub HB 2667.**

Public Health and Welfare: **SB 639; Sub HB 2285; HB 2744.**

Utilities: **Sub HB 2644; HB 2959, HB 2999.**

Ways and Means: **SB 637, SB 638; HB 2642, HB 2900, HB 2901.**

CHANGE OF REFERENCE

The President withdrew **SB 547** from the Committee on Ways and Means, and rereferred the bill to the Committee on Utilities.

The President withdrew **SB 584** from the Committee on Ways and Means, and rereferred the bill to the Committee on Public Health and Welfare.

The President withdrew **SB 384, SB 432** from the Calendar under the heading of General Orders, and rereferred the bills to the Committee on Judiciary.

The President withdrew **SB 529** from the Calendar under the heading General Orders, and rereferred the bill to the Committee on Elections and Local Government.

The President withdrew **SB 411** from the Calendar under the heading General Orders, and referred the bill to the Committee on Ways and Means.

The President withdrew **SB 471** from the Committee on Ways and Means, and rereferred the bill to the Committee on Assessment and Taxation.

The President withdrew **Sub SB 378**; **SB 403**, **SB 489** from the Committee on Ways and Means, and returned the bills to the Calendar under the heading of General Orders.

The President withdrew **SB 538**, **SB 611**, **SB 614**, **SB 615**, **SB 616** from the Committee on Commerce and referred the bills to the Committee on Ways and Means.

ORIGINAL MOTION

Having voted on the prevailing side, Senator Barone moved the Senate reconsider its adverse action on **HCR 5048**. The motion carried.

Senator Barone moved **HCR 5048** be returned to the calendar under the heading of General Orders. The motion carried.

REPORT ON ENROLLED BILLS

Sub for SB 379 reported correctly enrolled, properly signed and presented to the Governor on March 1, 2002.

CORRECT THE JOURNAL

Correct the Journal of the Senate for Thursday, February 28, 2002, under the heading of Final Action on pages 1328 and 1329 to show the corrected titles on bills, **SB 610** and **SB 624** to read as follows:

SB 610, An act concerning naturopathy; providing for the licensure and regulation of practitioners thereof; providing for administration by the board of healing arts; amending K.S.A. 65-2872 and K.S.A. 2001 Supp. 65-1626 and repealing the existing sections; also repealing K.S.A. 65-2872a.

SB 624, An act relating to motor vehicles; providing for the issuance of certain distinctive license plates; amending K.S.A. 8-1,141 and repealing the existing section.

Also, the Committee of the Whole, for Thursday, February 28, 2002, on page 1320, to include **SB 477**, as amended by adoption of the committee amendments, and the bill be passed as amended.

On motion of Senator Oleen the Senate adjourned until 2:30 p.m., Tuesday, March 5, 2002.

HELEN A. MORELAND, *Journal Clerk*.

PAT SAVILLE, *Secretary of Senate*.

