

# Journal of the Senate

THIRTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS  
Friday, March 5, 2004—9:00 a.m.

The Senate was called to order by President Dave Kerr.  
The roll was called with thirty-two senators present.  
Senators Adkins, Barnett, Brungardt, Corbin, Gilstrap, Lyon, Pugh and Wagle were excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Here are some of the questions I hear most often and at least one of the answers I found in Your Word:

Why do bad things happen to me? ENDURE HARDSHIP AS DISCIPLINE; GOD IS TREATING YOU AS SONS. (Hebrews 12:7)

How do I find out what I need to know? IF ANY OF YOU LACK WISDOM, HE SHOULD ASK OF GOD...AND IT WILL BE GIVEN HIM. (James 1:5)

How do I treat people who hurt me? LOVE YOUR ENEMIES AND PRAY FOR THOSE WHO PERSECUTE YOU. (Matthew 5:44)

Is there such a thing as truth, or are all things relative? GOD OUR SAVIOR...WANTS ALL MEN TO BE SAVED AND TO COME TO A KNOWLEDGE OF THE TRUTH (I Timothy 2:3-4) JESUS ANSWERED, "I AM THE WAY AND THE TRUTH AND THE LIFE." (John 14:6)

How can I find God? JESUS ANSWERED...ANYONE WHO HAS SEEN ME HAS SEEN THE FATHER. (John 14:9)

How can I know God's will for my life?...CHOOSE TO DO GOD'S WILL (John 7:17)

How can I be sure my needs will be met? SEEK FIRST [GOD'S] KINGDOM AND HIS RIGHTEOUSNESS AND ALL THESE THINGS WILL BE GIVEN TO YOU AS WELL. (Matthew 6:33)

Can the Bible be trusted? ALL SCRIPTURE IS GIVEN BY INSPIRATION OF GOD (II Timothy 3:16)

Although there are many other scripture passages which shed light on these questions, I hope, O God, that these very small samples will offer a little help.

I pray in Jesus' Name,

AMEN

## PRESENTATION OF PETITIONS

The following petitions were presented, read and filed:

**SP 9**, by Senator Lana Oleen: A petition urging a vote against SB 499, allowing additional gambling throughout the state, by Rev. Kenneth E. Kirkendall and J. Lester Hooper and nine others from Manhattan, Kansas.

**SP 10**, by Senator Tim Huelskamp: A petition opposing expansion of any gambling in our state, by Frank DeFisher and 20 other Kansas residents.

**SP 11**, by Senator Tim Huelskamp: A petition supporting the removal of an obscene statue at Washburn University promoting bigotry against Catholics, signed by Gerald Schmidt and seven other Kansas residents.

**SP 12**, by Senator Lana Oleen: A petition to vote against SB 499, which allows slot machine gambling at the three paramutual horse and dog racing tracks in Kansas, plus fraternal organizations across the state, by members of Administrative Council, First United Methodist Church, Manhattan, Kansas, Rev. Jan Todd and 24 others.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Elections and Local Government: **SB 553**.

Federal and State Affairs: **HB 2798**.

Ways and Means: **SB 551, SB 552, SB 554**.

#### INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

SENATE RESOLUTION No. 1823—

A RESOLUTION congratulating and commending the Olathe South High School girls soccer team.

WHEREAS, The Olathe South High School girls soccer team is the 2003 Class 6A state soccer champion; and

WHEREAS, The Lady Falcons, coached by head coach Will Stoskopf, won the elite MO-KAN tournament early in the season and went on to be undefeated in Sunflower League competition. This team won the distinction of being named champions of the city of Olathe, their league, their region and the state of Kansas. The team finished the season with a record of 19 wins and 1 loss, with the loss being a 2 to 1 loss in double overtime. The team defeated St. Thomas Aquinas 3 to 1 in the state quarter-finals, Emporia 3 to 0 in the state semi-finals and Wichita Northwest 5 to 0 in the state championship game; and

WHEREAS, The team scored 93 goals, allowed only 8 goals against it and recorded 14 shut out games. The team was ranked number 4 nationally by Adidas and the National Soccer Coaches Association of America; and

WHEREAS, The team success was due to a tremendous team effort and included several athletes who won many distinctions. Lauren Heck was named Sunflower League Defensive Player of the Year and was named to the first team for All-Metro and State. Senior Carrie DeFreece was also named to the first team all state and was an academic all-American. Senior Jenna Hatlestedt, was named to the second team all state; and

WHEREAS, Tara Peck achieved the following distinctions: All American, All Metro Player of the Year, Sunflower League Offensive Player of the Year and first teams for both All Metro and all state teams. Tara was tragically killed in a car accident the first week of her senior year but her kindness, work ethic and fierce competitiveness continue to motivate the hundreds of friends she touched with her life: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate and commend the Olathe South High School girls soccer team for winning the 2003 Class 6A state soccer championship; and

*Be it further resolved:* That the Secretary of the Senate provide five enrolled copies of this resolution to Mr. Phil Clark, Principal, Olathe South Senior High School, 1640 E. 151st St., Olathe, KS 66062-2851.

On emergency motion of Senator Brownlee **SR 1823** was adopted unanimously.

Members of the soccer team and their coaches, Will Stoskopf, Scott Hazelwood, Bill Collins and Dave Glassman were introduced and congratulated.

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

SENATE RESOLUTION No. 1824—

A RESOLUTION congratulating and commending the Olathe East High School girls swimming and diving and gymnastics teams.

WHEREAS, The Olathe East High School girls swimming and diving team is the 2003 state champion, and the girls gymnastics team is the 2003 state champion ; and

WHEREAS, the Olathe East High School girls swimming and diving team, coached by Nancy Tjaden, won the 2003 championship after having been the 2002 champion. There is no regional competition in this sport, and participants from all Kansas schools compete in the same event. To qualify for the state championship, the athletes must make a predetermined time in order to qualify for the event at the state meet; and

WHEREAS, The Olathe East High School girls gymnastics team, coached by Lydia Messenger, won the regional competition and the state championship for the second consecutive time with a score of 109.65. The team was undefeated in tri and quad meets, and in invitational meets had one 1st place finish and two 2nd place finishes; and

WHEREAS, Nancy Tjaden was named the 2003 swimming and diving coach of the year and Lydia Messenger was named the 2003 gymnastics coach of the year by the coaches association of their respective sports: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate and commend the Olathe East High School girls swimming and diving and gymnastics teams for winning 2003 state championships; and

*Be it further resolved:* That the Secretary of the Senate provide an enrolled copy of this resolution to Dr. Tom Barry, Principal, Olathe East Senior High School, 14545 W. 127th St., Olathe, KS 66062-1486.

On emergency motion of Senator Brownlee **SR 1824** was adopted unanimously.

Members of the swimming and diving team, athletic director, Ryan Ralston and coaches, Nancy Tjaden and Lydia Messenger were introduced and congratulated.

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

SENATE RESOLUTION No. 1825—

A RESOLUTION congratulating and commending the Olathe North High School football team.

WHEREAS, The Olathe North High School football team is the 2003 Class 6A state football champion; and

WHEREAS, The Olathe North High School football team, led by head coach John McCall, won the 2003 state championship game with a 28 to 13 victory over Hutchinson High School. To get to the state championship game the Eagles defeated Shawnee Mission Northwest 17 to 7 in the sectional championship game, Lawrence 41 to 21 in the regional championship game and Blue Valley North in the sub-state championship game. Three players were named allstate, two players are going to the Shrine Bowl, two players are greater KC Scholar Athletes and eight players have signed letters of intent to play college football; and

WHEREAS, The 2003 championship is the team's 4th consecutive state 6A title, and the 7th out of the last 8 state championships; the team has won 23 consecutive playoff football games: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate and commend the Olathe North High School football team upon winning the 2003 Class 6A state football championship; and

*Be it further resolved:* That the Secretary of the Senate provide five enrolled copies of this resolution to Dr. Ann Sanders, Principal, Olathe North Senior High School, 600 E. Prairie, Olathe, KS 66061-3397.

On emergency motion of Senator Brownlee **SR 1825** was adopted unanimously.

Senator Brownlee introduced and congratulated the Olathe North High School football team members, Jason Herman, Peter Flood, Drake McVey, Mike McCall, Codi Willard, John Trumble; Jerry Banks, Athletic Director; Dr. Wimmer and Jim Houghton.

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**POINT OF PERSONAL PRIVILEGE**

Senator Haley rose on a point of personal privilege to introduce guests visiting the Capitol today in observance of Hispanic Day on the Hill. Visitors included Elias Garcia, Director of the Kansas Advisory Committee on Hispanic Affairs; Elida Cardenas, President, Mana de of Kansas City; Leonor Solis, Sabina Hacker, Mary Estrada, Carolyn Ruiz, Celia Ponce, Linda Reyes, Kathy Tinoco, Stephanie Lara and Astrid Rios.

On motion of Senator Oleen the Senate adjourned until 2:30 p.m., Monday, March 8, 2004.

HELEN MORELAND, CAROL PARRETT, BRENDA KLING, *Journal Clerks.*

PAT SAVILLE, *Secretary of the Senate.*

