

Journal of the Senate

NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, January 21, 2005—9:30 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-six senators present.
Senators Barnett, Brungardt, Emler, Gilstrap, Schodorf and Wagle were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,
Yesterday President Bush
Began a second term;
Which causes some to celebrate
While others start to squirm.
He has his work cut out for him
Like Iraq and the Middle East.
For the person in the White House
Problems never cease.
The election was divisive.
But that is not a crime.
Whenever people are free to vote,
It happens every time.
It would help if we came together,
And do it very soon.
Help us do our part, O God,
To try to heal the wounds.
I think it is important, Lord,
Though there be those who scoff;
If we pray more than we criticize,
We'll all be better off!
I pray in the Name of Jesus Christ,
AMEN

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 75, An act concerning civil procedure; relating to immunity from liability for claims relating to weight gain or obesity, by Committee on Judiciary.

SB 76, An act relating to driver's licenses; concerning habitual violators; amending K.S.A. 8-235, 8-286, 8-287 and 8-288 and repealing the existing sections, by Senator Journey.

SB 77, An act concerning racial profiling, by Senators Betts and Haley.

SB 78, An act concerning the open records act; amending K.S.A. 2004 Supp. 45-221 and repealing the existing section; also repealing K.S.A. 2004 Supp. 45-221g and 45-221h, by Committee on Elections and Local Government.

SB 79, An act concerning the attorney general; establishing an office of public integrity, by Committee on Elections and Local Government.

SB 80, An act concerning the open records act; relating to definitions; amending K.S.A. 45-217 and repealing the existing section, by Committee on Elections and Local Government.

SB 81, An act regulating traffic; concerning the use of head lamps; amending K.S.A. 8-1703 and repealing the existing section, by Senator D. Schmidt (By request).

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 58**.

Commerce: **SB 69**.

Elections and Local Government: **SB 64, SB 65, SB 66, SB 67**.

Federal and State Affairs: **SB 68**.

Financial Institutions and Insurance: **SB 57**.

Judiciary: **SB 61, SB 71, SB 72**.

Natural Resources: **SB 59**.

Transportation: **SB 60**.

Utilities: **SB 63**.

Ways and Means: **SB 62, SB 70, SB 73, SB 74**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

SENATE RESOLUTION No. 1805—

A RESOLUTION in memory of Joseph C. Harder.

WHEREAS, Joseph C. Harder, formerly of Moundridge and a 32 year veteran of the Kansas senate, died August 21, 2004, at age 88; and

WHEREAS, Mr. Harder was elected in 1960 to represent the 35th senatorial district and continued to do so until his retirement from the senate in 1992. He was appointed chairperson of the senate education committee in 1965 and held this position for the next 28 years—one of the longest tenures in the history of the senate. He was a key member fashioning the school district equalization act of 1973 and put aside his pride in the 1973 legislation to assist in the enactment of the school district finance and quality performance act of 1992. Other committee assignments included service on the committees on financial institutions and insurance, calendar and rules, ways and means, joint committee on state building construction and legislative education planning; and

WHEREAS, In his home community Mr. Harder served on the Moundridge city council and as general manager of the Moundridge Telephone Company. He was a member of the Moundridge United Methodist Church, the Moundridge Lions Club and the Masonic Lodge. He was in business with his brother at one time in the operation of a furniture store and funeral home. During World War II he served in the United States Navy; and

WHEREAS, Mr. Harder married Maryan L. Brooks in Kansas City, Missouri, on December 24, 1939; she survives. Also surviving are a son, Brooks, two granddaughters and one great-granddaughter: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we extend our deepest sympathy to the family of Joseph C. Harder and declare our appreciation for the 32 years of devoted service he gave to the state of Kansas and to the public schools of this state; and

Be it further resolved: That the Secretary of the Senate be directed to provide two enrolled copies of this resolution to Mrs. Joseph C. Harder.

On emergency motion of Senator Lee **SR 1805** was adopted unanimously.

REPORT ON ENGROSSED BILLS

SB 23 reported correctly engrossed January 20, 2005.

REPORT ON ENROLLED BILLS

SR 1804 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 20, 2005.

On motion of Senator Schmidt the Senate adjourned until 2:30 p.m., Monday, January 24, 2005.

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

PAT SAVILLE, *Secretary of the Senate*.

