

Journal of the Senate

TWENTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 8, 2005—2:30 p.m.

The Senate was called to order by Vice President John Vratil.
The roll was called with thirty-eight senators present.
Senators Huelskamp and Wagle were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Today I want to submit to You what I understand my role as Senate Chaplain ought to be. Besides the forty Senators I believe You want me to serve all of their support staff.

In a sense, I believe I am a lobbyist for You, O God. As such I should try to make sure that You have the proper place in their, as well as my, loyalties.

We worship You, and You alone.

We do not worship our constituents.

We do not worship our party.

We do not worship Kansas.

We do not worship America.

And we do not worship Your creation, sometimes referred to as "Mother Earth."

We have a responsibility to all of these, but we do not worship them.

We worship the Creator...You and You alone are worthy of our worship.

Help us to not get our priorities mixed up.

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 214, An act concerning the department of corrections; relating to funding for department of corrections offender substance abuse treatment programs; amending K.S.A. 2004 Supp. 74-7336 and repealing the existing section, by Committee on Federal and State Affairs.

SB 215, An act enacting the commercial real estate broker lien act, by Committee on Federal and State Affairs.

SB 216, An act concerning infectious and contagious diseases; powers and duties of local health officials and the secretary of health and environment in investigating infectious or contagious diseases; quarantine or isolation of certain individuals, by Committee on Public Health and Welfare.

SB 217, An act requiring tuberculosis evaluations for certain faculty, staff and students who enter high school, college or university classrooms, by Committee on Public Health and Welfare.

SB 218, An act providing for transfer of moneys to support the movement of individuals from nursing facilities to home and community-based services, by Senator D. Schmidt.

SB 219, An act concerning agriculture; creating the pest control compact, by Committee on Agriculture.

SB 220, An act concerning the criminal code; relating to domestic battery; amending K.S.A. 2004 Supp. 21-3412a and repealing the existing section, by Committee on Judiciary.

SB 221, An act concerning mentally ill persons subject to involuntary commitment for care and treatment; unlawful acts; restoration of certain rights; amending K.S.A. 2004 Supp. 21-4203, 21-4204, 59-2948, 59-2966 and 59-2974 and repealing the existing sections, by Committee on Judiciary.

SB 222, An act concerning professional counselors; relating to licensure by the behavioral sciences regulatory board; amending K.S.A. 65-5804a and repealing the existing section, by Committee on Health Care Strategies.

SB 223, An act concerning payday loans; relating to fees; relating to collection from deployed military personnel; amending K.S.A. 2004 Supp. 16a-2-404 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 224, An act concerning crimes and punishment; relating to sentencing; amending K.S.A. 2004 Supp. 21-4603d and repealing the existing section, by Senator Journey.

SB 225, An act concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, by Joint Committee on Special Claims Against the State.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 209**.

Federal and State Affairs: **SB 211**.

Financial Institutions & Insurance: **SB 207**.

Health Care Strategies: **SB 212**.

Judiciary: **SB 213**.

Public Health and Welfare: **SB 208**; **HB 2086**.

Transportation: **SB 210**.

MESSAGE FROM THE HOUSE

Announcing adoption of **SCR 1603**.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 47** be passed.

Committee on **Financial Institutions and Insurance** recommends **SB 57** be passed.

Committee on **Judiciary** recommends **SB 36** be amended on page 1, after line 30, by inserting the following:

“Sec. 2. K.S.A. 7-103 is hereby amended to read as follows: 7-103. (a) The supreme court of this state may make such rules as it may deem necessary for the examination of applicants for admission to the bar of this state and for the discipline and disbarment of attorneys.

(b) *The supreme court of this state may allow persons who have been granted and hold a juris doctorate degree or bachelor of laws degree from the president’s law school to apply seeking admission to the bar of this state. Such applicants shall satisfy all other qualifications and examinations as established by supreme court rule.*

Sec. 3. K.S.A. 7-103 is hereby repealed.”;

And by renumbering the remaining section;

In the title, in line 10, before the period by inserting “; amending K.S.A. 7-103 and repealing the existing section”; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SCR 1604** be amended on page 1, in line 28, by striking “; and” and inserting a colon; by striking all in lines 29 through 39; in line 42, after the colon, by inserting: “That the Kansas Department of Education is hereby requested, in cooperation with other state agencies, private foundations and other private entities to study our state’s public schools with regard to their school food programs, the availability of other food items available on school premises, any available classes on health and physical activities intended to promote healthy bodies and physical fitness, and

to report to the legislature their findings and appropriate recommendations for improving the diets and physical well being of our students, and the implementation of such recommendations should result in creating healthy eating behaviors and appropriate exercise habits in our children which hopefully will remain with them throughout their lives;” also in line 42, before “That”, by inserting:

“*Be it further resolved:*”; and the concurrent resolution be adopted as amended.

REPORT ON ENROLLED BILLS

SCR 1601 reported correctly enrolled, properly signed and presented to the Secretary of State on February 7, 2005.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Wednesday, February 9, 2005.

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

PAT SAVILLE, *Secretary of the Senate*.

