

Journal of the Senate

TWENTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 6, 2006—2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-four senators present.
Senators Apple, Barnett, Donovan, Jordan, Petersen and Wagle were excused.
President Morris introduced as guest chaplain, Pastor Charles R. Claycomb, Woodland United Methodist Church, Wichita, Kansas, who delivered the invocation:

Let us pray.

O Holy One, who has proclaimed the universe into being, we, the people of the world and the citizens of Kansas, have gathered to address you by many names and languages, yet we know you as God, who calls us all to be your very own. You, O Lord, give us life. You, O Lord, redeem our living and You, O Lord, sustain us in all ways.

In our assembly today, we pray for your blessing on the members of the Senate, as they lead and legislate. Grant them wisdom. Help them to discern your will for those who dwell in this great state. Empower them in their fidelity to you, to the residents of Kansas, as well as to the constitutions and ordinances they have pledged to uphold.

As the Senators work, give them energy to endure the long hours that are required. Give them courage to boldly offer leadership before the people. But most of all, O God, give them love that they may, with sensitivity, see the vision of a land where peace and justice will be known to all. Amen.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 512, An act enacting the silicosis claims act, by Committee on Financial Institutions and Insurance.

SB 513, An act concerning compensation for members of the legislature; establishing a legislative compensation commission and abolishing the existing compensation commission; amending K.S.A. 46-137a and repealing the existing section; also repealing K.S.A. 46-3101, by Committee on Ways and Means.

SB 514, An act concerning school districts; relating to attendance of pupils residing outside the district; amending K.S.A. 72-1046 and 72-1046a and repealing the existing sections; also repealing K.S.A. 72-1046b, by Senator Journey.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 508**, **SB 509**.

Judiciary: **SB 506**, **SB 507**.

Public Health and Welfare: **SB 511**.

Transportation: **SB 510**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2560, HB 2572, HB 2698**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2560, HB 2572, HB 2698 were thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

SENATE RESOLUTION No. 1808—

A RESOLUTION congratulating and commending Marci Penner.

WHEREAS, Marci Penner of Inman will be honored as the Distinguished Kansan of the Year by the Kansas Native Sons and Daughters at their annual banquet on January 27. The award is given in recognition of exceptional Kansans committed to preserving Kansas history; and

WHEREAS, Marci Penner currently serves as the Executive Director of the Kansas Sampler Foundation, an organization founded by her and her father, Mel Penner, and dedicated to preserving and sustaining rural culture in Kansas. She also is co-chair of the Governor's Rural Life Task Force committee and a board member of the Travel Industry Association of Kansas; and

WHEREAS, Marci's interest in rural Kansas started when she was a girl and accompanied her parents on motor trips exploring her home state. That interest culminated in the publication of her book, "The Kansas Guidebook for Explorers". To compile this guidebook she visited every one of the 627 incorporated towns in Kansas, many unincorporated crossroads and traveled over 40,000 miles. Earlier she had coauthored with her father Kansas weekend and event guide books. She has been a frequent author for Kansas Heritage, a publication of the Kansas State Historical Society, and was chosen by the Kansas Department of Transportation to compile a pamphlet entitled "Kansas Scenic Byways"; and

WHEREAS, The foundation sponsors and oversees the Kansas Sampler Festival which is held every year to showcase Kansas products and activities. The foundation also directs the Kansas Explorers Club which examines eight elements of Kansas—architecture, art, commerce, cuisine, customs, geography, history and people. The organization sponsors the We Kan conference, facilitates retreats and planning sessions and acts as a liaison for rural communities with state agencies and the media; and

WHEREAS, Other recognitions Ms. Penner has received in recognition of her work involving rural Kansas include the Rural Leadership Award presented by the National Rural Economic Developers Association and the Tourism Award of Merit for Individual Achievement by the Kansas Department of Commerce's State Travel and Tourism Division; and

WHEREAS, Marci is a graduate of the University of Kansas where she lettered in two sports, and she has a masters degree in counseling and guidance from the University of Wisconsin: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Marci Penner for her dedication to preserving interest in rural Kansas and in being honored as the 2006 Distinguished Kansan of the Year by the Kansas Native Sons and Daughters; and

Be it further resolved: That the Secretary of the Senate provide an enrolled copy of this resolution to Marci Penner, 978 Arapaho Road, Inman, KS 67546.

On emergency motion of Senator McGinn **SR 1808** was adopted unanimously.

Senator McGinn introduced as guest of the Senate Marci Penner, Distinguished Kansan of the Year honored by the Kansas Native Sons and Daughters. Senator McGinn quoted excerpts from Ms. Penner's book "The Kansas Guidebook for Explorers". To compile this guidebook she traveled over 40,000 miles.

President Morris and members of the Senate welcomed her with a standing ovation.

REPORT ON ENROLLED BILLS

SR 1806, SR 1807 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 3, 2006.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 370** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 370," as follows:

"Substitute for SENATE BILL No. 370

By Committee on Federal and State Affairs

"AN ACT concerning wines; authorizing sale and shipping into and out of the state under certain circumstances; amending K.S.A. 2005 Supp. 41-308a and repealing the existing section.";

and the substitute bill be passed.

Committee on **Judiciary** recommends **SB 398** be passed.

Also, **SB 149** be amended by substituting a new bill to be designated as "SENATE Substitute for SENATE BILL No. 149," as follows:

"SENATE Substitute for SENATE BILL NO. 149

By Committee on Judiciary

"AN ACT relating to motor carriers; prohibiting requirements of indemnification from motor carriers for certain acts or omissions; exception.";

and the substitute bill be passed.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Tuesday, February 7, 2006.

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

PAT SAVILLE, *Secretary of the Senate.*

