

Journal of the Senate

SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 19, 2010—2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

I dedicate this prayer to the memory of Dr. Martin Luther King, Jr.

Heavenly Father,

You know, O God, that I grew up
In total segregation.
I hardly knew anyone
Of a different coloration.

Schools were segregated,
Yes, and churches, too.
Separate fountains and restrooms
Blacks were forced to use.

But when I got to Seminary
You showed I had a need
To deal with any prejudice
So Your orders I could heed.

When I retired, my wife and I
Became an active part
Of a predominately black church
Who welcomed us from the start.

So when some people in another state
Want to stop observing
King's birthday anniversary,
To us it is unnerving.

Though Dr. King lost his life
To one resorting to terror,
His strategy of non-violence
Proved more powerful than ever.

And for that we have You to thank, O God.

I pray in the Name of Jesus Christ,

AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 385. An act concerning school districts; enacting the temporary education economic recovery act, by Committee on Ways and Means.

SB 386. An act concerning criminal procedure; relating to discovery and inspection; amending K.S.A. 22-3212 and repealing the existing section; also repealing K.S.A. 22-3433, by Committee on Judiciary.

SB 387. 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.

SB 388. An act concerning insurance; relating to risk-based capital requirements for insurers; amending K.S.A. 2009 Supp. 40-2c01 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 389. An act concerning dental benefits under health insurance, by Committee on Financial Institutions and Insurance.

SB 390. An act relating to health insurance; concerning genetic testing by insurance and health entities; amending K.S.A. 40-2259 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 391. An act concerning anatomical gifts; relating to first person donor registry; amending K.S.A. 65-3219 and K.S.A. 2009 Supp. 65-3225 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 392. An act establishing the on-line motor vehicle financial security verification and compliance system; amending K.S.A. 2009 Supp. 8-173 and repealing the existing section, by Committee on Transportation.

SB 393. An act concerning agriculture; relating to administrative hearings; amending K.S.A. 34-298, 65-6a34a, 83-308 and 83-407 and K.S.A. 2009 Supp. 2-2122, 2-2449, 2-2469, 2-2512, 2-3311, 65-780 and 74-596 and repealing the existing sections, by Committee on Agriculture.

SB 394. An act concerning pesticide education; amending K.S.A. 2-2459a and 2-2460a and repealing the existing sections, by Committee on Agriculture.

SB 395. An act concerning agriculture; relating to milk, milk products and dairy products; relating to fees and licensing requirements; amending K.S.A. 65-777 and K.S.A. 2009 Supp. 65-771, 65-778 and 65-781 and repealing the existing sections, by Committee on Agriculture.

SB 396. An act concerning the laboratory fee fund; amending K.S.A. 2009 Supp. 74-554 and repealing the existing section, by Committee on Agriculture.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 383.**

Financial Institutions & Insurance: **SB 382.**

Judiciary: **SB 381.**

Utilities: **SB 384.**

REFERRAL OF APPOINTMENT CHANGE

President Morris withdrew the appointment of Suchitra Padmanabhan to the Kansas Development Finance Authority from the Committee on Ways and Means and referred it to the Committee on Commerce.

COMMUNICATIONS FROM STATE OFFICERS

KANSAS CRIMINAL CODE RECODIFICATION COMMISSION

December 16, 2009

Professor Tom Stacy, Chairman, and Ed Klumpp, Vice Chairman, submitted the 2010 Final Report to the Kansas Legislature for Volume I - Recodification and Volume II - Policy Recommendations.

The President announced the above report is on file in the office of the Secretary of the Senate and is available for review at any time.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

SENATE RESOLUTION No. 1803—

A RESOLUTION congratulating and commending the members of the 2010 Kansas Teacher of the Year Team.

WHEREAS, The Kansas State Department of Education sponsors the Kansas Teacher of the Year program which identifies, recognizes and utilizes representatives of excellent teaching in the elementary and secondary classrooms of the state. The mission of the program is to build and utilize a network of exemplary teachers who are leaders in the improvement of schools, student performance and the teaching profession; and

WHEREAS, Two Teachers— one elementary and one secondary— in each of the state's four United States congressional districts were selected as finalists for recognition as Kansas Teacher of the Year, the Kansas Teacher of the Year being chosen from among the eight finalists. The Kansas Teacher of the Year is awarded The Hubbard Foundation Kansas Teacher of the Year Ambassadorship which enables the person selected to devote significant time during the second semester to activities to support the mission of the program. The 2010 Kansas Teacher of the Year and finalists were honored at an awards banquet on November 21, 2009. All members received a cash award as well as mementos of the events; and

WHEREAS, The Kansas Teacher of the Year is nominated to represent Kansas in the National Teacher of the Year program, a project of the Council of Chief State School Officers presented by the ING Foundation; and

WHEREAS, The 2010 Kansas Teacher of the Year is Karen M. Tritt, Shawnee Mission USD 512, and the regional finalists are Arthur R. Commons, Baxter Springs USD 508; Cathy Durano, Andover USD 385; Jeline D. Harclerode, Emporia USD 253; Joan L. Moore, McPherson USD 418; Rose M. Nemchik, De Soto USD 232; Beth Slawson, Paola USD 368 and Tracey B. Repp, Andover USD 385: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the members of the 2010 Kansas Teacher of the Year Team and wish Mrs. Tritt success in the national competition; and

Be it further resolved: That the Secretary of the Senate provide eight enrolled copies of this resolution to the Commissioner of Education for forwarding to the members of the 2010 Kansas Teacher of the Year Team.

On emergency motion of Senator Vratil **SR 1803** was adopted unanimously.

Senator Vratil rose on a Point of Personal Privilege to pay tribute to Karen M. Tritt, 2010 Kansas Teacher of the Year from Shawnee Mission West High School, Overland Park. Also acknowledged were the 2010 Kansas Regional Teachers of the Year as follows: Arthur R. Commons, Baxter Springs High School, Baxter Springs; Cathy Durano, Cottonwood Elementary School, Andover; Jeline D. Harclerode, Emporia Middle School, Emporia; Joan L. Moore, Lincoln Elementary School, McPherson; Rose M. Nemchik, Riverview Elementary School, Shawnee; Beth Slawson, Cottonwood Elementary School, Paola; and Tracey B. Repp, Andover Central Middle School, Andover. The teachers were congratulated on their achievements.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Wednesday, January 20, 2010.

HELEN MORELAND, ROSE MARIE GLATT, SHIRLEY LAMOTT, *Journal Clerks.*
PAT SAVILLE, *Secretary of the Senate.*

