

Journal of the Senate

FORTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 11, 2003—2:30 p.m.

The Senate was called to order by President Dave Kerr.
The roll was called with thirty-nine senators present.
Senator Feleciano was excused.
President Kerr introduced as guest chaplain, Mrs. Debbie Carter, Associate Director of Missions, Kaw Valley Southern Baptists Association, Topeka, who delivered the invocation:

Gracious Father,

I thank you for today,

I thank you for these moments. . . in this place. . .

I thank you for all who are here and their commitment to the people of this state.

I ask Father that you would bless every individual

with wisdom,

with strength,

with compassion,

with discernment

that the work of the whole would be honorable in your sight.

I pray that the burden and stress of the work at hand would be replaced

with determination and vision,

with clarity of purpose.

In Christ's Name, Amen.

Accompanying Mrs. Carter were her husband, Craig, and son, Adam.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 259, An act concerning courts; relating to the court of appeals; amending K.S.A. 2002 Supp. 20-3002 and 20-3006 and repealing the existing sections; also repealing K.S.A. 2002 Supp. 20-3005, by Committee Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 258**.

Ways and Means: **SB 257**; **HB 2182**, **HB 2343**, **HB 2367**, **HB 2369**.

CHANGE OF REFERENCE

The President withdrew **SB 123** from the Committee on Ways and Means, and returned the bill to the calendar under the heading of General Orders.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2397**, **HB 2399**, **HB 2400**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2397, HB 2399, HB 2400 were thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

The Committee on Federal and State Affairs introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1827—

A RESOLUTION memorializing the Congress of the United States to amend the constitution to protect the pledge of allegiance and our national motto.

WHEREAS, This nation was founded by people seeking a place where they could practice their religion freely; and

WHEREAS, The first settlers found themselves in a strange and strenuous land which required them to call upon the strength of their God and to place themselves in his trust; and

WHEREAS, Our founding fathers, in creating our national constitution, assured the freedom of choice in one's practice of religion. However, our national leaders in times of stress have called upon our belief and trust in a superior being to see this nation through difficult times, and have acknowledged the continuous presence of our God by inscribing on our currency the reassuring phrase "In God we trust" and by including the phrase "one Nation under God" in our pledge of allegiance; and

WHEREAS, The strength of a nation can be measured in its citizens' desire for domestic tranquility and in their abiding belief in a supreme being. Accordingly, it is urged upon the Congress of the United States that this basic requirement of a great nation be recognized by amending our constitution as follows:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several states within seven years after the date of its submission for ratification:

Section 1. The first article of amendment to the Constitution of the United States shall not be construed to prohibit the recitation of the Pledge of Allegiance to the Flag, which shall be, 'I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.'

Section 2. The first article of amendment to the Constitution of the United States shall not be construed to prohibit the recitation or use of the national motto, which shall be, 'In God we trust'; and

WHEREAS, We urge Congress to pass this Constitutional Amendment and to send it on to the individual states for their approval: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we memorialize the Congress of the United States to seek a constitutional amendment to protect the pledge of allegiance and our national motto; and

Be it further resolved: That the Secretary of the Senate be directed to provide an enrolled copy of this resolution to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to each member of the Kansas Congressional Delegation.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SCR 1609** be amended on page 1, in line 23, by striking "they are" and inserting "the landowner is"; in line 24, by striking "eradicate" and inserting "control"; in line 30, by striking "eradicate" and inserting "control"; and the concurrent resolution be adopted as amended.

Also **SCR 1610** be amended on page 1, in line 21, by striking all after "That"; in line 22, by striking "agriculture make" and inserting "additional federal"; also in line 22, after "dol-

lars” by inserting “be made”; in line 23, by striking “on CRP land”; in line 24, by striking “secretary” and inserting “Secretary”; also in line 24, by striking “state” and inserting “State”;

In the title, in line 11, by striking “on CRP land”; and the concurrent resolution be adopted as amended.

Committee on **Transportation** recommends **HB 2159, HB 2166** be passed.

Also **HB 2158** be amended on page 1, in line 15, preceding “Wreckers” by inserting “(a)”; and the bill be passed as amended.

Committee on **Utilities** recommends **HCR 5007**, as amended by House Committee, be adopted.

On motion of Senator Oleen the Senate adjourned until 2:30 p.m., Wednesday, March 12, 2003.

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

PAT SAVILLE, *Secretary of the Senate*.

