

Journal of the Senate

SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 20, 2004—2:30 p.m.

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

Heavenly Father,

As the nation celebrated the birthday anniversary of Dr. Martin Luther King, Jr.,
we Caucasians should have remembered that African Americans have had some bad
experiences with which we cannot identify.

We pray today for those of us
Whose skin is colored white,
That we might seek to understand
The African American's plight.

We have not walked where they have walked
In hot sun nor in rain.
We have not felt what they have felt;
We do not know their pain.

We have not had to listen
To vicious racial slurs.
We do not know how they must feel
Each time that it occurs.

We do not know how men must feel
When they are called a boy;
Nor how it is to build esteem
For someone to destroy.

We do not know how black folks feel
When white folks call them friend;
But never are invited
To a meal at home with them.

We have not known all they have known,
Nor walked the paths they've trod.
But there is Someone we both know:
We know the same great God!

While progress has been made, O God,
And relations rearranged;
Equality will never be obtained
Until our hearts are changed.

And for that I pray in Jesus' Name,

AMEN

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 312, An act concerning the emergency medical services board; relating to financial support thereof; amending K.S.A. 2003 Supp. 75-1508 and repealing the existing section, by Committee on Ways and Means.

SB 313, An act concerning sales taxation; relating to countywide retailers' sales tax in Douglas county; amending K.S.A. 2003 Supp. 12-187, 12-189 and 12-192 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 314, An act concerning technical colleges; relating to the powers and duties of the governing bodies thereof; amending K.S.A. 2003 Supp. 72-4470a and repealing the existing section, by Committee on Education.

SB 315, An act concerning civil procedure; relating to post-decree motions; amending K.S.A. 2003 Supp. 60-1621 and repealing the existing section, by Committee on Judiciary.

SB 316, An act concerning civil procedure; relating to executions; issuance; amending K.S.A. 2003 Supp. 60-2401 and repealing the existing section, by Committee on Judiciary.

SB 317, An act concerning civil procedure; relating to business records subpoenaed by a party; amending K.S.A. 2003 Supp. 60-245a and repealing the existing section, by Committee on Judiciary.

SB 318, An act concerning marriage; relating to issuance of a marriage license; amending K.S.A. 2003 Supp. 23-106 and repealing the existing section, by Committee on Judiciary.

SB 319, An act concerning criminal procedure; relating to execution of death sentences; amending K.S.A. 2003 Supp. 22-4012 and repealing the existing section, by Committee on Judiciary.

SB 320, An act concerning the department of social and rehabilitation services; enacting the grandparents as foster parents act; prescribing powers, duties and functions for the secretary of social and rehabilitation services; prescribing certain guidelines and other criteria therefor, by Senator Vratil.

SB 321, An act concerning municipal court judges; relating to contempt powers; amending K.S.A. 12-4106 and K.S.A. 2003 Supp. 22-3609 and repealing the existing sections, by Committee on Judiciary.

SB 322, An act concerning appeals; relating to the computation of time to appeal; amending K.S.A. 2003 Supp. 22-3609 and repealing the existing section, by Committee on Judiciary.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Financial Institutions & Insurance: **SB 311**.

COMMUNICATIONS FROM STATE OFFICERS**CITIZENS COMMISSION ON HUMAN RIGHTS INTERNATIONAL**

January 2004

Doctors Rohit Adi, Anthony P. Urbaneck, Mary Jo Pagel, and Julian Whitaker, submitted a report on The Real Crisis in Mental Health, which has been formulated to provide answers to funding priorities for mental health programs.

THE UNIVERSITY OF KANSAS HOSPITAL

January 9, 2004

Irene M. Cumming, President and Chief Executive Officer, submitted the Annual Report for fiscal year 2003.

KANSAS HOUSING RESOURCES CORPORATION

January 12, 2004

Stephen R. Weatherford, President, Kansas Housing Resources Corporation, submitted the Executive Summary of the Kansas Housing Market Study.

The first annual report to the Legislature reflecting Executive Reorganization Order No. 30 and Senate Bill 285, which transferred the housing programs to KDFR, will not be due until the 2005 Session.

SOCIAL AND REHABILITATION SERVICES

January 14, 2004

In compliance with Senate Substitute for HB 2444, Janet Schalansky, Secretary, Social and Rehabilitation Services, submitted a report on the impact of pharmaceutical prior authorization under the state Medicaid plan.

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

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Umbarger, Barnett, Betts, Brownlee, Bunten, Corbin, Donovan, Downey, Em-ler, Helgerson, Hensley, Jordan, Lee, O'Connor, Oleen, Schodorf, Teichman, Vratil and Wagle introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1803—

A RESOLUTION congratulating and commending the members of the 2004 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 2004 Kansas Teacher of the Year and finalists were honored at an awards banquet in Wichita on November 22, 2003. All members received a cash award as well as mementos of the event; and

WHEREAS, the Kansas Teacher of the Year is nominated to represent Kansas in the National Teacher of the Year program sponsored by the Council of Chief State School Officers and Scholastic Inc; and

WHEREAS, the 2004 Kansas Teacher of the Year is Keil E. Hileman II, Desoto School District USD 232, and the regional finalists are Connie Ferree, Emporia School District USD 253; Sandra Grote, Blue Valley School District USD 229; Patrick Lamb, Manhattan School District USD 383; Greg Mittman, Valley Center school District USD 262; Vicki O'Neil, Baxter Springs School District USD 508; Kimberly Thomas, Wichita School District USD 259 and Erin Vancil, McPherson School District USD 418: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the members of the 2004 Kansas Teacher of the Year Team and wish Mr. Hileman 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 2004 Kansas Teacher of the Year Team.

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

Senator Umbarger and members of the Senate congratulated and honored Kansas Teacher of the Year, Keil E. Hileman II, Desoto School District USD 232; and the regional finalists, Connie Ferree, Emporia School District USD 253; Sandra Grote, Blue Valley School District USD 229; Patrick Lamb, Manhattan School District USD 383; Greg Mittman, Valley Center School District USD 262; Vicki O'Neil, Baxter Springs School District USD 508; Kimberly Thomas, Wichita School District USD 259 and Erin Vancil, McPherson School District USD 418, with a standing ovation.

On motion of Senator Oleen the Senate adjourned until 2:30 p.m., Wednesday, January 21, 2004.

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

PAT SAVILLE, *Secretary of the Senate.*

