

# Journal of the Senate

THIRTY-FOURTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Friday, February 25, 2005—9:30 a.m.

The Senate was called to order by Vice President John Vratil.  
The roll was called with thirty-three senators present.  
Senators Barnett, Betts, Gilstrap, Goodwin, Haley, Taddiken and Wysong were excused.  
Vice President Vratil introduced as guest chaplain, Senator Nick Jordan, Shawnee, Kansas, who delivered the invocation.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **HB 2103, HB 2280, HB 2341.**

Commerce: **Sub HB 2142; HB 2144.**

Education: **HB 2247.**

Elections and Local Government: **HB 2139, HB 2242, HB 2349.**

Financial Institutions & Insurance: **HB 2138, HB 2160.**

Judiciary: **Sub HB 2113; HB 2129, HB 2180, HB 2262, HB 2304, HB 2386, HB 2387, HB 2418.**

Natural Resources: **HB 2014, HB 2466.**

Public Health and Welfare: **HB 2155, HB 2284, HB 2285.**

Utilities: **HB 2263, HB 2407, HB 2461.**

Ways and Means: **SB 281; HB 2364.**

## CHANGE OF REFERENCE

The Vice President withdrew **SB 38, SB 179** from the Committee on Ways and Means, and rereferred the bills to the Committee on Judiciary.

The Vice President withdrew **SB 217, SB 222** from the Committee on Ways and Means, and rereferred the bills to the Committee on Public Health and Welfare.

The Vice President withdrew **SB 228** from the Committee on Ways and Means, and rereferred the bill to the Committee on Natural Resources.

The Vice President withdrew **SB 257** from the Committee on Ways and Means, and rereferred the bill to the Committee on Assessment and Taxation.

The Vice President withdrew **SB 120** from the Committee on Ways and Means, and rereferred the bill to the Committee on Utilities.

The Vice President withdrew **SB 80** from the Committee on Ways and Means, and rereferred the bill to the Committee on Elections and Local Government.

The Vice President withdrew **SB 164** from the Committee on Ways and Means, and returned the bill to the calendar under the heading of General Orders.

The Vice President withdrew **SB 11, SB 44, SB 130** and **SB 131** from the Committee on Ways and Means, and rereferred the bills to the Committee on Education.

The Vice President withdrew **SB 117, SB 138, SB 139** and **SB 223** from the calendar under the heading of General Orders, and referred the bills to the Committee on Ways and Means.

The Vice President withdrew **SB 208** from the Committee on Public Health and Welfare, and referred the bill to the Committee on Ways and Means.

**INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS**

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

**SENATE RESOLUTION No. 1824—**

A RESOLUTION congratulating and commending the 2004 Victoria High Schoolfootball team.

WHEREAS, The Victoria High School football team won its first 8-man Division I state championship by defeating the Baileyville B&B team 30 to 28 in the championship game played at Russell on November 20. After falling behind in the first quarter, the team evened the match with the score of 22 to 22 at the half. After a tightly contested third quarter, the team played tough defense in the fourth quarter to finish the game as the 2004 champions; and

WHEREAS, The Victoria Knights entered the game with a record of 9 wins to 3 losses whereas the Baileyville B&B Falcons were undefeated and the defending champions. The Knights were not intimidated by the Falcons as they had to defeat another undefeated team, the Kensington Goldbugs, to play in the championship game; and

WHEREAS, The team won its last state championship in 1988 when they played 11-man football; and

WHEREAS, The members of this team were Jared VonFeldt, Parker Wilson, Jeff Brull, Jae McLaren, Clayton Hoffman, Casey Geist, James Brungardt, Lance Schmidtberger, Jason Kuhn, Cade Scott, Cody VonLintel, Lyle Hammerschmidt, Jared Pfeifer, Cory Dreiling, Tyson Dreiling, Skylor Flaska, Nic Conroy, Jeremy Lapka, Trevor Dinkel, Ross Hammerschmidt, Greg Sander, Steven Rohleder, Cole Dreiling, Taylor Lang and Jake Karlin; the head coach was Chris Windholz and the assistant coaches were Kurt Dinkel and Doug Oberlie: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate and commend the 2004 Victoria High School football team and head coach Chris Windholz upon their first 8-man Division I championship and wish the team continued success; and

*Be it further resolved:* That the Secretary of the Senate provide an enrolled copy of this resolution to Micheal Kreller, Principal, Victoria High School, P.O. Box 20, Victoria, KS 67671.

On emergency motion of Senator Lee **SR 1824** was adopted unanimously.

Vice President Vratil and members of the Senate welcomed and congratulated guests, Head Coach Chris Windholtz; Assistant Coach Doug Oberle and team members Jeff Brull, James Brungardt, Lyle Hammerschmidt, Tyson Dreiling and Jeremy Lapka.

**REPORTS OF STANDING COMMITTEES**

Committee on **Ways and Means** recommends **SB 62** be amended on page 1, by striking all in lines 23 through 29;

On page 2, in line 16, by striking “50” and inserting “60”; in line 20, by striking “130%” and inserting “100%”;

On page 3, in line 30, by striking all after “(a)”; by striking all in lines 31 through 40; in line 41, by striking “(c)” and inserting “The secretary of social and rehabilitation services shall seek a waiver under federal law to allow title IV-E funds from title IV of the federal social security act, or acts amendatory thereof or supplemental thereto as in effect on July 1, 2005, to be used to fund the grandparents as foster parents program. The secretary shall report to the president of the senate and the speaker of the house of representatives on or before August 1, 2005 on the status of such waiver.

(b)”; and the bill be passed as amended.

**REPORT ON ENGROSSED BILLS**

**SB 55; Sub SB 77; SB 81, SB 93, SB 107, SB 114, SB 133, SB 183** reported correctly engrossed February 24, 2005.

On motion of Senator D. Schmidt the Senate adjourned until 9:30 a.m., Tuesday, March 1, 2005.

HELEN MORELAND, CAROL PARRETT, BRENDA KLING, *Journal Clerks*.  
PAT SAVILLE, *Secretary of the Senate*.



**CORRECTION OF THE JOURNAL**

Correct the Journal of the Senate for February 23, 2005, page 202, under the heading of "Committee of the Whole", to reflect the corrected action on **Sub SB 77**:

**Sub SB 77** be amended by adoption of the committee report recommending a substitute bill, be amended by motion of Senator Betts on page 3, line 35, by striking "or other moneys", and **Sub SB 77** be passed as amended.