

Journal of the Senate

FIFTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, May 8, 2013, 10:00 a.m.

The Senate was called to order by President Susan Wagle.
The roll was called with forty senators present.
Invocation by Father Don Davidson:

As we reconvene this morning for a short but intense session we pause in grateful thanksgiving for the escape of three kidnapped women in Cleveland, Ohio. Held over a decade, the end of this horrible time in their lives brings a sense of relief to the families involved, and a sense of great concern at the absurd indignity.

Dear God, thank you for the release of these three women and help us to be aware of the horrible things that happen in our world and give us, we pray, the determination to do all we can to stop them. In your holy name we pray. Amen

The Pledge of Allegiance was led by President Susan Wagle.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 245, AN ACT concerning financing for capital improvements; relating to the national bio and agro defense facility; amending K.S.A. 2012 Supp. 74-8963 and repealing the existing section, by Committee on Ways and Means.

SB 246, AN ACT reconciling amendments to certain statutes; amending K.S.A. 2012 Supp. 8-1,161, 12-4106, as amended by section 1 of 2013 House Bill No. 2041, 21-5109, 21-5302, as amended by section 6 of 2013 Senate Bill No. 16, 21-5808, 21-5904, 21-5924, 21-6302, as amended by section 4 of 2013 Senate Substitute for House Bill No. 2052, 21-6614, as amended by section 19 of 2013 Senate Substitute for House Bill No. 2034, 22-2802, 22-2908, 22-3212, 22-3717, as amended by section 27 of 2013 Senate Substitute for House Bill No. 2034, 32-1438, 39-709, as amended by section 1 of 2013 Senate Bill No. 149, 44-706, as amended by section 5 of 2013 Substitute for House Bill No. 2105, 44-709, as amended by section 3 of 2013 Senate Bill No. 187, 45-221, as amended by section 2 of 2013 Senate Bill No. 81, 45-229, as amended by section 1 of 2013 House Bill No. 2012, 47-422, 47-1804, 60-3107, 60-4104, as amended by section 41 of 2013 Senate Substitute for House Bill No. 2034, 65-4101, 72-978, 74-7901, 75-7c05, as amended by section 7 of 2013 Senate Substitute for House Bill No. 2052, 75-3740, 75-37,121, 75-4362, as amended by section 5 of 2013 Senate Bill No. 149, 75-5133, 75-6102, 75-6609, 79-3234, 79-32,117, as amended by section 3

of 2013 House Substitute for Senate Bill No. 83 and 79-32,160a and repealing the existing sections; also repealing K.S.A. 2012 Supp. 2-1930a, 2-1931a, 8-1,161a, 12-4106, as amended by section 8 of 2013 Senate Substitute for House Bill No. 2034, 21-5109a, 21-5302, as amended by section 12 of 2013 Senate Substitute for House Bill No. 2034, 21-5808a, 21-5904a, 21-5924a, 21-6302, as amended by section 3 of 2013 House Bill No. 2033, 21-6614, as amended by section 3 of 2013 Senate Bill No. 21, 22-2802c, 22-2908a, 22-3212b, 22-3717, as amended by section 6 of 2013 House Bill No. 2170, 22-1438a, 39-709, as amended by section 23 of 2013 Substitute for House Bill No. 2183, 39-923a, 44-706, as amended by section 4 of 2013 Senate Bill No. 149, 44-709, as amended by section 6 of 2013 Substitute for House Bill No. 2105, 45-221, as amended by section 6 of 2013 Senate Substitute for House Bill No. 2052, 45-221, as amended by section 1 of 2013 House Bill No. 2128, 45-229, as amended by section 1 of 2013 House Bill No. 2144, 47-422a, 47-1001g, 47-1008a, 47-1302a, 47-1701a, 47-1709a, 47-1725a, 47-1804a, 47-1809a, 60-3107a, 60-4104, as amended by section 8 of 2013 Senate Bill No. 16, 65-1685a, 65-4101b, 72-978a, 74-7901a, 75-7c05, as amended by section 6 of 2013 Senate Bill No. 21, 75-3740d, 75-37,121a, 75-4362, as amended by section 2 of 2013 House Bill No. 2302, 75-5133b, 75-6102c, 75-6609a, 79-3234c, 79-32,117, as amended by section 17 of 2013 House Bill No. 2253, 79-32,160f, 82a-220a and 82a-903a, by Committee on Ways and Means.

MESSAGES FROM THE GOVERNOR

SB 74, SB 142 approved on April 10, 2013.

SB 1, SB 27, SB 56, SB 81, SB 120, SB 128, SB 136 approved on April 11, 2013.

SB 16, SB 23, Sub SB57, H Sub for SB83, SB 88, SB 96, SB 102, SB 111, SB 122, SB 124, SB 129, SB 149, SB 164, SB 168, SB 187 approved on April 16, 2013.

SB 199 approved on April 22, 2013.

The Senate received Executive Directive No. 13-439 on April 29, 2013.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

SENATE RESOLUTION No. 1755—

A RESOLUTION congratulating Emporia State University's debate team of Ryan Wash and Elijah Smith on winning the National Debate Tournament and the Cross Examination Debate Association national tournament.

WHEREAS, Emporia State University Debate Team Ryan Wash and Elijah Smith won the National Debate Tournament (NDT) defeating a team from Northwestern University; and

WHEREAS, The debate program at Emporia State University began in 1881 as the Alpha Society at Kansas State Normal School; and

WHEREAS, The program has grown from interstate competition with teams in the Midwest to national competition against teams from universities and colleges of all sizes; and

WHEREAS, The team was led by Coach Sam Mauer; and

WHEREAS, This win comes just a week after Smith and Wash won the Cross Examination Debate Association (CEDA) national tournament; and

WHEREAS, Emporia State University is the first program to have a team win both

titles in the same season; and

WHEREAS, The CEDA crowns the popular national champion, and this is a tournament that is open to all teams that want to compete. The NDT requires teams to qualify to participate in the tournament; and

WHEREAS, Smith and Wash are also the first black team to win the NDT title. Their final round took more than two hours: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate Ryan Wash and Elijah Smith on winning both the National Debate Tournament and the Cross Examination Debate Association national tournament. The Emporia State University community and the entire State of Kansas can be proud of their accomplishments, and we wish them future success; and

Be it further resolved: That the Secretary of the Senate be directed to provide five enrolled copies of this resolution to Senator Longbine.

On emergency motion of Senator Longbine **SR 1755** was adopted unanimously.

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

SENATE RESOLUTION No. 1756—

A RESOLUTION memorializing the life of Ivan Wyatt.

WHEREAS, Ivan Wyatt served as Vice President of Kansas Farmers Union, the state's oldest active general agriculture organization, from 1973-1981, served as State President from 1981-2000, and passed away on February 25, 2013, at the age of 83; and

WHEREAS, Ivan was instrumental in organizing and chartering the Chase County Farmers Union, serving as county president for a number of years. He also served on the Board of Directors of National Farmers Union during his tenure as State President; and

WHEREAS, During his 50 years of involvement in Kansas Farmers Union, Ivan worked relentlessly to protect family farms and ranches and develop and champion farmer-owned cooperatives. In Topeka, President Wyatt worked on strengthening corporate farming laws to protect family farms from corporate takeover; and

WHEREAS, Ivan was committed to issues Kansas Farmers Union members stood for in policy. He enjoyed being engaged at the state legislature, as well as on the national level. Ivan worked to help build links and bridges, and he made sure Kansas' elected officials were never left thinking there was only one side of an issue; and

WHEREAS, During his career in Farmers Union, Ivan made hundreds of friends and was well-respected in the agriculture industry where he met agriculture leaders from across the U.S. and the world. Family farming was in his heart, and he worked persistently to ensure its success and future; and

WHEREAS, Ivan leaves behind his daughters, Cheryl Leitnaker of Ottawa and Colette Freeman of Effingham, IL; six grandchildren and eight great grandchildren: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we memorialize the life of Ivan Wyatt and thank him for his service to the farmers, ranchers and rural communities of Kansas; and

Be it further resolved: That the Secretary of the Senate be directed to provide five enrolled copies of this resolution to Senator Hensley.

On emergency motion of Senator Hensley **SR 1756** was adopted unanimously.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **S Sub for HB 2052**.

The House adopts the Conference Committee report on **Sub HB 2105**.

The House adopts the Conference Committee report on **Sub HB 2183**.

The House adopts the Conference Committee report on **HB 2234**.

The House adopts the Conference Committee report on **HB 2253**.

The House not adopts the Conference Committee report on **S Sub for HB 2199**, requests a conference and appoints Representatives Siegfried, Brunk and Ruiz as Second conferees on the part of the House.

REPORT ON ENROLLED BILLS

SB 1, SB 16, SB 27, SB 56, SB 81, SB 111, SB 120, SB 128, SB 136, SB 149 reported correctly enrolled, properly signed and presented to the Governor on April 8, 2013.

SB 23, Sub SB 57, H Sub for SB 83, SB 88, SB 96, SB 102, SB 122, SB 124, SB 129, SB 164, SB 168, SB 187, SB 199 reported correctly enrolled, properly signed and presented to the Governor on April 12, 2013.

On motion of Senator Bruce, the Senate recessed until 2:30 p.m.

The Senate met pursuant to recess, with Vice President King in the chair.

On motion of Senator Bruce, the Senate adjourned until 10:30 a.m., Thursday, May 9, 2013.

HELEN MORELAND, ROSE MARIE GLATT, CHARLENE BAILEY, *Journal Clerks*.

DIANE MINEAR, *Secretary of the Senate*.

