

Journal of the Senate

TWELFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, January 29, 2014, 2:30 p.m.

The Senate was called to order by President Susan Wagle.
The roll was called with thirty-nine senators present.

The President announced that Father Don Davidson, Senate Chaplain, was hospitalized this morning. She introduced the guest chaplain, Reverend Dr. Bruce L. Emmert, Topeka First United Methodist Church.

Invocation by Reverend Bruce Emmert:

Lord, our God, whose love is showered upon all people with an abundance that exceeds our imagination, sovereign Lord, whose grace and mercy is the very air which our spirits need in order to survive. On this Kansas Day, pour out upon this Senate and upon all people of Kansas your redeeming love, your saving grace and your unmerited mercy.

And as you drench our souls with your love, grace and mercy remind us that we are all parched as dust without them. Remind us of our frailties, remind us of our shortcomings, remind us of our sinfulness for truly there are none who are righteous, no not one—not one preacher, not one politician, not one citizen, not one servant of the people. We admit Lord, that we are parched as dust without your love and grace and mercy. And so we rejoice in the abundance of your love, in the richness of your grace and in the lavishness of your mercy.

Teach us to be as generous toward one another in this chamber as you are toward us.

Remind us each day that the fellow senator sitting next to us in committee meetings wants the best for the people of Kansas, just as we do, and that the person sitting across the aisle has as bright a hope for each citizen, as we do.

Give us patience with each other as we seek solutions to problems that defy easy answers.

We pray for our Governor, Sam Brownback, that you give him wisdom and discernment as he seeks to be the leader of our beloved state.

We pray for our colleagues in the House, that you give them a statewide vision for their work.

We pray for our state employees, who live out the programs and policies enacted by our elected leaders.

We give thanks on this Kansas Day for our Forefathers and Foremothers who planted our roots deeply into Kansas soil.

And especially today we once more pray for the Kansas Senate. We give you thanks loving, gracious and merciful Lord, for one another in this chamber who have offered

themselves to the people of Kansas to act as both servant and leader. We give you thanks for one another, O God. We give you thanks.

In the name of the One upon whose love, grace and mercy we depend. Amen

The Pledge of Allegiance was led by President Susan Wagle.

POINT OF PERSONAL PRIVILEGE

Senator Abrams rose on a Point of Personal Privilege and invited everyone to stand and join him in the singing of "Home of the Range," in observance of Kansas' 153rd Anniversary.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 320, AN ACT concerning the emergency medical services board; imposition of fines; investigation authority; issuance of subpoenas; amending K.S.A. 65-6130 and K.S.A. 2013 Supp. 65-6111 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 321, AN ACT concerning insurance; relating to the return of premiums separate from the notice of denial of coverage; amending K.S.A. 2013 Supp. 40-3118 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 322, AN ACT concerning the insurance department service regulation fund; pertaining to assessments on insurance companies; amending K.S.A. 2013 Supp. 40-112 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 323, AN ACT concerning property; relating to conservation easements; amending K.S.A. 58-3811 and repealing the existing section, by Committee on Ways and Means.

SB 324, AN ACT making and concerning appropriations for the fiscal year ending June 30, 2015, for the judicial branch, by Committee on Ways and Means.

SB 325, AN ACT making and concerning appropriations for fiscal years ending June 30, 2014, June 30, 2015, June 30, 2016, June 30, 2017, and June 30, 2018, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2013 Supp. 12-5256, 79-34,156, 79-4227 and 79-4804 and repealing the existing sections, by Committee on Ways and Means.

SB 326, AN ACT concerning advanced practice registered nurses; amending K.S.A. 40-4602, 59-2976, 65-1660, 65-2892, 65-4134 and 65-5502 and K.S.A. 2013 Supp. 39-923, 39-1401, 39-1430, 39-1504, 65-468, 65-1113, 65-1130, 65-1626, 65-1682, 65-2837a, 65-2921, 65-4101, 65-4116, 65-4202, 65-5402, 65-5418, 65-6112, 65-6119, 65-6120, 65-6121, 65-6123, 65-6124, 65-6144, 65-7003, 65-7302, 72-5213 and 75-7429 and repealing the existing sections, by Committee on Ways and Means.

SB 327, AN ACT concerning utilities; relating to the underground utilities damage prevention act; excavator liability; amending K.S.A. 66-1811 and repealing the existing section, by Committee on Utilities.

SB 328, AN ACT concerning utilities; relating to the state corporation commission; amending K.S.A. 2013 Supp. 66-2002 and repealing the existing section, by Committee on Utilities.

SB 329, AN ACT concerning the revised Kansas juvenile justice code; orders relating to parents; amending K.S.A. 2013 Supp. 38-2362 and repealing the existing section, by Committee on Judiciary.

SB 330, AN ACT concerning the secretary of corrections; relating to custody and confinement of certain inmates; amending K.S.A. 2013 Supp. 75-5210 and repealing the existing section, by Committee on Judiciary.

SR 1777, A RESOLUTION commemorating the 50th Anniversary of the War on Poverty.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

SENATE RESOLUTION No. 1776 –

A RESOLUTION congratulating Angel Shaver
for being named Ms. Wheelchair Kansas 2013.

WHEREAS, Angel Shaver of WaKeeney was crowned Ms. Wheelchair Kansas on March 17, 2013, in Topeka, Kansas. As Ms. Wheelchair Kansas, Angel Shaver serves as a role model and spokesperson for people with disabilities in Kansas at public events throughout the state. As Ms. Wheelchair Kansas, Angel went on to participate in the Ms. Wheelchair America competition in July 2013; and

WHEREAS, Angel is proud to be a "domestic engineer," as she is a wife, and a mother of two children. In addition to being a stay at home mother, Angel is currently a secretary at the WaKeeney Church of God and is a bookkeeper and piano teacher; and

WHEREAS, Angel does not let her disability define who she is and what she can accomplish. Angel spends her time volunteering as a LeadHer coordinator, Moms in Prayer leader and PTO member; and

WHEREAS, Angel holds a Master of Science degree in Family Therapy from Friends University and a Bachelor of Science Degree in Behavioral Science and Theology from Mid-America Bible College in Oklahoma; and

WHEREAS, Angel is dedicated to empowering and supporting young women, serving as a role model and encouraging people to not let challenges prevent them from reaching their goals; and

WHEREAS, Angel shares her platform, "Maintaining an Attitude of Gratitude," with Kansans of all ages, which encourages people to stay positive no matter what their circumstances are while giving thanks when faced with challenges. Angel has spoken at Trego Grade School, the Muscular Dystrophy Association summer camp, the Independent Living Resource Center spring fling, Chick-Fil-A Leadercast and several public libraries. Angel has also attended a Special Olympics event, Kansas Sampler Fest, Wichita Riverfest and many other community events: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate Angel Shaver for being named Ms. Wheelchair Kansas 2013. Angel is active in her community and serves as a great role model for Kansans; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Ostmeyer and Angel Shaver.

Angel's husband and children were also present with her today.

On emergency motion of Senator Ostmeyer **SR 1776** was adopted unanimously.

The Senators honored Angel with a standing ovation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

- Agriculture: **SB 318**.
- Commerce: **SR 1777**.
- Financial Institutions and Insurance: **SB 315**.
- Public Health and Welfare: **SB 316, SB 317**.

REFERENCE OF APPOINTMENTS

The following appointment made by the Governor and submitted to the Senate for confirmation, was referred to Committee as indicated:

Public Member, Employment Security Board of Review, Phillip Hayes, effective upon the date of confirmation by the Senate, to serve a four year term.
(Commerce)

REPORTS OF STANDING COMMITTEES

Committee on **Ethics and Elections** recommends **SB 274** be amended on page 1, in line 13, by striking all after the period; by striking all in line 14; and the bill be passed as amended.

Committee on **Federal and State Affairs** begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

Member, Kansas Human Rights Commission: K.S.A. 44-1003
Marilyn Wilder, to fill a term expiring on January 15, 2018

Committee on **Financial Institutions and Insurance** recommends **SB 267, 268** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Bruce, the Senate adjourned until 2:30 p.m., Thursday, January 30, 2014.

ROSE MARIE GLATT, CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.
COREY CARNAHAN, *Secretary of the Senate*.

