

Journal of the Senate

FIFTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 3, 2014, 2:30 p.m.

The Senate was called to order by President Susan Wagle.
Invocation by Father Don Davidson:

Charles Bokowski said, “We are here to laugh at the odds and live our lives so well that Death will tremble to take us.” Neither Denver nor Seattle had a clue which team might come out ahead at the beginning of the big game yesterday. The predictions made following the game were almost always correct. Each day affords us a new opportunity to listen a little more earnestly and open our minds and eyes to new revelation. Help us to see your hand at work O Lord, in all people. In your holy name we pray.

The Pledge of Allegiance was led by President Susan Wagle.

COMMUNICATIONS FROM STATE OFFICERS

STATE OF KANSAS
SECRETARY OF STATE

To all to whom these presents shall come, Greetings:

I, KRIS W. KOBACH, Secretary of State of the State of Kansas, do hereby certify that Douglas Clark Shultz, McPherson, was appointed by the Governor effective February 3, 2014, for the unexpired term, Thirty Fifth Senatorial District, to fill the vacancy created by the resignation of Jay Scott Emler.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 3rd day of February, A.D. 2014.

KRIS W. KOBACH
Secretary of State

President Wagle requested Senator Bruce escort Senator Clark Shultz and his wife to the front of the Senate. The President introduced the Honorable Lawton Nuss, Chief Justice, Supreme Court of Kansas, who administered the Oath of Office to the newly appointed Senator Clark Shultz.

OATH OF OFFICE

STATE OF KANSAS, COUNTY OF SHAWNEE, ss:

I do solemnly swear, or affirm, that I will support the Constitution of the United

States, and the Constitution of the State of Kansas, and will faithfully discharge the duties of the office of the State Senator of the 35th District. So help me God.

Subscribed and Sworn to, or Affirmed, before me this 3rd day of February, 2014.

Lawton Nuss
Chief Justice of the Supreme Court

Senator Shultz introduced his wife, Lori, daughters, Abby, Anna, Bethany, and son Alex. Also mentioned were two other children unable to attend.

SPECIAL REMARKS

MADAM PRESIDENT: I would like to thank the Chief Justice of the Kansas Supreme Court for being here today. Many years ago I was able to be in this building with my father and was able to watch him argue cases on appeal in what is now the Old Supreme Court Room. My father passed away 32 years ago, and he never got to see me serve in the legislature. The presence of the Chief Justice, and his willingness to administer my oath of office, is both meaningful and appreciated.

Madam President, in 1990 a young woman knocked on my door when my family was living in East Wichita. She was running for the Kansas House of Representatives. My wife and I liked her cheerful attitude and her common sense, so we supported her, voted for her, and she was elected. A few years later when I was elected to the House of Representatives, I had the privilege of supporting the same young woman for a leadership position and she was elected as Speaker Pro-Tem. Who could have imagined that so many years after a simple conversation on a front porch that today I would again have a conversation with that same remarkable woman, only this time it would be between a newly elected senator, and the President of the Senate? Madam President, I am so honored to be here, and so very proud of what you have accomplished.

I would like to introduce my wife Lori, my son John who is an attorney in Kansas City and his wife Dana who are not able to be here, my daughter Abby who is a 5th grade teacher at Elyria Christian School. My daughter Sarah is in The Republic of Congo with Mercy Ships. She lives on a floating hospital called the Africa Mercy and is helping save and change lives. My son Alex is an 8th grader, my daughter Anna is a 7th grader, and my daughter Bethany is a 3rd grader. Madam President, I want to thank you, our Vice-President, Majority Leader, Minority Leader, and each member of this Chamber for their kindness. Thank you very much. — CLARK SHULTZ

The roll was called with thirty-nine senators present.

Senator Faust-Goudeau was excused.

POINT OF PERSONAL PRIVILEGE

Senator Lynn rose on a Point of Personal Privilege to share remarks on behalf of Representative Marvin Kleebe upon the death of his wife, Nancy.

“I want to thank everyone in the Senate for all of the support, condolences and expressions of sympathy during this difficult time. My family and I greatly appreciate the cards, emails, phone calls and your presence at the visitation and funeral.

As you know, my wonderful wife, Nancy, lost her battle with pancreatic cancer. And,

I want to thank the members here who have contributed in memory of Nancy to the Pancreatic Cancer Action Network. We must continue our research for a cure and for earlier and better detection so other victims and their loved ones will not experience this pain.

It's at a time like this we realize how important our friends are to us. The legislature is made up of kind, caring and decent people. I am most fortunate to have you as my colleagues and friends. God bless each and every one of you." – MARVIN KLEEB

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 344, AN ACT regulating traffic; concerning special permits; relating to oversized loads; amending K.S.A. 2013 Supp. 8-1911 and repealing the existing section, by Committee on Transportation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 341**.

Ethics and Elections: **SB 343**.

Federal and State Affairs: **SB 342**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Wagle, Bruce and Hensley introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1778—

A RESOLUTION relating to assignment of seats of the Senate.

Be it resolved by the Senate of the State of Kansas: The members of the 2014 regular session shall occupy the same seats they occupied in the 2013 regular session with the following exception: Senator Shultz, seat No. 23.

On emergency motion of Senator Bruce **SR 1778** was adopted unanimously.

REPORT ON ENROLLED BILLS

SR 1776 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 03, 2014.

REPORTS OF STANDING COMMITTEES

Committee on **Natural Resources** recommends **SB 276** be passed.

Also, **SB 272** be amended on page 1, following line 27, by inserting:

"(e) The secretary shall limit controlled shooting areas so that the total acreage licensed as controlled shooting areas in a county does not exceed 5% of the total acreage of such county."; and the bill be passed as amended.

On motion of Senator Bruce, the Senate adjourned until 2:30 p.m., Tuesday, February 4, 2014.

FEBRUARY 3, 2014

1559

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

