

# Journal of the Senate

FORTY-FIRST DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Wednesday, March 15, 2017, 2:30 p.m.

The Senate was called to order by President Susan Wagle.  
The roll was called with 40 senators present.  
Invocation by Reverend Cecil T. Washington:

Heavenly Father, Lord, God of Heaven and earth. We are honored to have many spiritual leaders in the Capitol today. Leaders that are responsible for guiding us in Your ways...ways designed to make us better people. You lead them to lead us, to a higher quality of life; not only here, but in the hereafter.

Help us to appreciate, and to show appreciation for their labors. Because Lord, the compilation of research, coming from the Fuller Seminary, George Barna and the Frances Schaefer Institute reveal that our spiritual leaders are in dire need of our prayers and support.

Lord, the statistics say that:

- Fifteen hundred pastors leave the ministry each month due to spiritual burnout, contention in their churches or moral failure. Help them Lord.
- Fifty percent are so discouraged that they would leave the ministry if they could, but have no other way of making a living. Help them Lord.
- Seventy percent are constantly fighting depression. Help them Lord.

In fact, help us to be instruments in Your hands showing them favor. You said in Galatians 6:6, "The person who is taught God's word should share all good things with his teacher."

So Lord, help us to be sources of encouragement to our spiritual leaders. And help them, as it says in Galatians 6:9, to not get weary in their well doing because the sheep need shepherds.

Lord, I know this prayer is in accord with Your will, because it's in accord with Your Word. So thank You for hearing. And thank You for providing.

I come to You in Jesus' name, Amen and Amen.

The Pledge of Allegiance was led by President Wagle.

## **POINT OF PERSONAL PRIVILEGE**

Senator Hardy rose on a Point of Personal Privilege to recognize members of the award-winning Abilene Cowboys wrestling team and Coach Stout.

The senators honored the team with a standing ovation.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**SB 230**, AN ACT concerning taxation; relating to the high performance incentive program; moratorium on income tax credits, sales tax exemptions; amending K.S.A. 2016 Supp. 74-50,115, 74-50,131, 74-50,132 and 79-32,160a and repealing the existing sections, by Committee on Assessment and Taxation.

**SB 231**, AN ACT concerning economic development; relating to the promoting employment across Kansas act, three-year moratorium; amending K.S.A. 2016 Supp. 74-50,212 and 74-50,213 and repealing the existing sections, by Committee on Assessment and Taxation.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to Committees as indicated:

Committee of the Whole: **HB 2387**.

Ethics, Elections and Local Government: **SB 229**.

Public Health and Welfare: **SB 228**.

**MESSAGE FROM THE HOUSE**

Announcing passage of **HB 2162**, **HB 2168**, **HB 2228**.

In accordance with **HCR 5012**, the House announces the following escort appointments for the purpose of hearing a message on the State of the Judiciary:

To escort the Senate: Representatives Johnson, Waymaster and Terrel.

To escort the Supreme Court: Representatives Barker, Campbell and Hodge.

**INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS**

**HB 2162**, **HB 2168**, **HB 2228** were thereupon introduced and read by title.

**INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS**

Senators Longbine, Denning, Estes, Hardy, Hawk, Masterson and V. Schmidt introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1724—

A RESOLUTION congratulating and commending the 2017 Kansas Master Teachers.

WHEREAS, Seven of Kansas' best teachers have been selected as Kansas Master Teachers for 2017. These seven outstanding educators will be honored on Wednesday, April 5, with a day of receptions, seminars and tours at the sponsoring institution, Emporia State University; and

WHEREAS, Local teacher associations, educational organizations and school faculties nominate candidates for the awards. A committee representing educational organizations from across Kansas selected the 2017 winners; and

WHEREAS, The 2017 Kansas Master Teachers are: Brandy Lane, a sixth grade teacher at Pauline South Intermediate School in Wakarusa; Kimberly Hett, a fifth grade teacher at Andover eCademy in Andover; Jennifer Hendrix, a physics teacher at Dodge City High School in Dodge City; Laura Schwinn, an A/V communications teacher at Emporia High School in Emporia; Joan Hayden, a physical education teacher at Fort

Riley Middle School in Fort Riley; Melinda Eitel, a kindergarten teacher at Grace E. Stewart Elementary School in Salina; and John Butcher, an art teacher at Blue Valley Northwest High School in Overland Park; and

WHEREAS, Emporia State University established the Kansas Master Teacher Awards in 1953. The awards are presented annually to teachers who have served the profession long and well and who also exemplify the outstanding qualities of earnest and conscientious teachers; and

WHEREAS, Since 1980, Bank of America has pledged more than \$100,000 to permanently endow the Kansas Master Teacher Awards. In 1984, the Black family of Broken Arrow, Oklahoma, established an endowed chair for Kansas Master Teachers. The fund provides a stipend to bring two Master Teachers to Emporia State University for part of a semester where they present to classes of education students; and

WHEREAS, The members of the Kansas Senate recognize the invaluable contributions of great teachers such as those being honored today. These 2017 Master Teachers serve as mentors and role models and lay the groundwork for the best educators of tomorrow. They go above and beyond what is expected and offer inspiration, as well as instruction. They teach with heart and soul, and by giving the best of themselves, they encourage students to give their best in return: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate and commend the 2017 Kansas Master Teachers for demonstrating excellence in their profession and devotion to the children of Kansas; and

*Be it further resolved:* That we offer heartfelt thanks to these extraordinary educators who face so many challenges in the classroom each day, yet persevere, choosing the satisfaction of doing their best and overcoming the frustrations inherent in their jobs, and we extend our best wishes for their continued success and happiness; and

Be it further resolved: That the Secretary of the Senate shall send seven enrolled copies of this resolution to Senator Longbine.

On emergency motion of Senator Longbine **SR 1724** was adopted unanimously.

In addition to the Master Teachers, other guests introduced were Ken Weaver, Brian Denton, Lucie Eusey and Allison Garrett.

The senators honored the teachers and guests with a standing ovation.

Senators Baumgardner, Alley, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kersch, LaTurner, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle and Wilborn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1725—

A RESOLUTION commending the faith leaders of Kansas  
for their dedication and commitment to improving lives.

WHEREAS, There are hosts of faith leaders serving throughout Kansas; and

WHEREAS, They produce God-honoring and prosperous families that help nurture the hearts of future generations; and

WHEREAS, They preach and teach in ways that impact and enrich lives and lead many to live more fulfilling lives; and

WHEREAS, As shepherds, tasked with protecting their flocks, they correct wrongs, reflect justice and seek fairness in organizations, families and government; and

WHEREAS, They provide creative approaches to challenges, which result in better life practices; and

WHEREAS, They pioneer the creation of new programs, policies and services; and

WHEREAS, They help cultivate people's strengths and challenge them to step up and step out in their communities: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we commend our faith leaders for their dedicated service in villages, cities, counties and our state and their priceless commitment to improving lives. We thank God for each of them; and

*Be it further resolved:* That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Baumgardner.

On emergency motion of Senator Baumgardner **SR 1725** was adopted unanimously.

The senators honored the pastors and spouses with a standing ovation.

#### COMMITTEE OF THE WHOLE

On motion of Senator Denning, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator V. Schmidt in the chair.

On motion of Senator V. Schmidt the following report was adopted:

**SB 83, SB 174** be passed.

**SB 94** be amended by the adoption of the committee amendments, be further amended by motion of Senator Billinger; on page 1, in line 20, by striking all before the second comma and inserting "June 30, 2017"; in line 21, by striking "January" and inserting "July"

and **SB 94** be passed as further amended.

A motion by Senator Billinger to amend **SB 94** failed.

**SB 55** be amended by the adoption of the committee amendments,

An amendment was offered by Senator Pettey. A ruling of the chair was requested as to the germaneness of the bill. The Subcommittee on Rules determined the amendment not germane.

A motion was made by Senator Hensley challenging the ruling of the Subcommittee on Rules. Upon a showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 16; Nays 24; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Denning, Estes, Goddard, Kerschen, Lynn, McGinn, Olson, Pyle, Suellentrop, Tyson, Wagle, Wilborn.

Nays: Berger, Bollier, Doll, Faust-Goudeau, Fitzgerald, Francisco, Givens, Haley, Hardy, Hawk, Hensley, Holland, Kelly, LaTurner, Longbine, Masterson, Petersen, Pettey, Pilcher-Cook, Rogers, V. Schmidt, Skubal, Sykes, Taylor.

The decision was overruled. The amendment is available for debate.

The motion by Senator Pettey to amend **SB 55** was withdrawn.

**SB 55, SB 86, SB 107; HB 2192** be passed over and retain a place on the calendar.

**REPORTS OF STANDING COMMITTEES**

MADAM PRESIDENT:

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

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

By the Governor:

*Brigadier General, Kansas National Guard: K.S.A. 48-208*

Colonel John Rueger, serves at the pleasure of the Governor

*Brigadier General, Kansas National Guard: K.S.A. 48-208*

Colonel David Weishaar, serves at the pleasure of the Governor

On motion of Senator Denning, the Senate adjourned until 2:30 p.m., Thursday, March 16, 2017.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

