

Journal of the Senate

FORTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 18, 2013, 2:30 p.m.

The Senate was called to order by Vice President Jeff King.
The roll was called with forty senators present.
Invocation by Father Don Davidson:

In honor of St. Patrick's Day, let us listen to this Irish Blessing as an appropriate prayer as we begin this new week.

May you always have walls for the winds
A roof for the rain...Tea beside the fire
Laughter to cheer you...Those you love near you
And all your heart might desire. Amen

The Pledge of Allegiance was led by Vice President Jeff King.

POINT OF PERSONAL PRIVILEGE

Senator O'Donnell rose on a Point of Personal Privilege to introduce Kathy Bond, Mrs. United States All World Beauties 2012. Her platform is the Make-A-Wish Foundation in memory of her stepdaughter Alexis, a Make A Wish recipient. Kathy was recently named Ambassador to the Make-A-Wish Foundation with the Wichita Chapter. Other honors include: Mrs. Kansas 2011, Certified Lay Speaker with the United Methodist Church in the Kansas Conference, and two Academic Commendations with Wichita State University.

Also introduced was her husband, Gary.
The Senators acknowledged Mrs. Bond with a standing ovation.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2042, HB 2058, HB 2091, HB 2135.**
Announcing adoption of **HCR 5015.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2042, HB 2058, HB 2091, HB 2135; HCR 5015 were thereupon introduced and read by title.

HCR 5015, commending the business and philanthropic achievements of native Kansan, David G. Booth, was read.

On emergency motion of Senator Francisco, **HCR 5015** was adopted by voice vote.
The Senators acknowledged David Booth with a standing ovation.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator V. Schmidt introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. **1735**—

A RESOLUTION congratulating the Washburn Rural High School women's volleyball team on winning the class 6A state championship.

WHEREAS, The Washburn Rural High School women's volleyball team won the class 6A state title for 2012; and

WHEREAS, The 2012 Washburn Rural High School women's volleyball team has seen a lot of success this season. During the 2012 season the team was also named the Fayetteville, Arkansas Tournament champions, Derby Tournament champions, Emporia Tournament champions, undefeated Centennial League champions, and 6A sub-state champions;

WHEREAS, The Washburn Rural High School women's volleyball team has won 16 straight sub-state championships. They have also had 14 consecutive 6A state final four appearances and 11 consecutive top three 6A state finishes. The Washburn Rural volleyball team has been named state champions seven out of the last nine years, and the overall record of this year's senior class is 162-16; and

WHEREAS, The members of the team include Morgan Hutchinson, Paige Cunningham, Emma Reeves, Savannah Moore, Courtney Winkley, Kadie Baumgardner, Alyssa Carney, Melissa Cushing, Emma Eickhoff, Erika Lane, McKenzie Johnson, and Sarah Vicory; and

WHEREAS, Head coach, Kevin Bordewick, was named the Centennial League Coach of the Year and the 6A State Coach of the Year. He, along with assistant coach, Nikki Noe Gilliland, have worked hard with this year's volleyball team, improving the team's skills and ultimately leading it to the 2012 class 6A state championship: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the Washburn Rural High School women's volleyball team on its 2012 class 6A state championship victory. The team's successful year and strong tradition of success in the past will be celebrated by the Washburn Rural community; and

Be it further resolved: That the Secretary of the Senate be directed to provide 17 enrolled copies of this resolution to Washburn Rural High School women's volleyball team; Coaches Kevin Bordewick and Nikki Noe Gilliland; Superintendent, Dr. Brenda Dietrich; Principal, Ed Raines and Athletic Director, Penny Lane.

On emergency motion of Senator V. Schmidt **SR 1735** was adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 235** be amended on page 1, in line 11, after "continue" by inserting "only for a period"; also in line 11, by striking the first "taxable" and inserting "calendar"; also in line 11, by striking the second "taxable" and inserting "calendar"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2319**, as amended by House Committee, be amended on page 1, in line 4, by striking "9" and inserting "10"; in line 7, by striking "9" and inserting "10";

On page 2, in line 7, after the first "application" by inserting "on or before the conclusion of such 90-day period"; in line 35, by striking "9" and inserting "10";

On page 3, in line 9, by striking "9" and inserting "10"; following line 21, by inserting:

"(e) The coalition board may organize itself into subcommittees.

(f) The coalition board shall report annually to the governor and the legislature regarding pupil performance in public innovative districts, recommendations for amendments to laws and rules and regulations pertaining to school districts and any other information regarding the operation of public innovative districts during the immediately preceding school year.";

Also on page 3, in line 40, after "thereto." by inserting "The coalition board, in its sole discretion, shall approve or deny the request. As part of its review of such request, the coalition board may make recommendations to the requesting school district to modify the request, and may consider any such modifications prior to making a final decision.";

On page 4, in line 14, by striking all after "(d)"; in line 15, by striking all before the period and inserting "No more than 10% of the school districts in the state shall operate as public innovative districts at any one time"; in line 36, by striking "9" and inserting "10";

On page 5, in line 16, by striking "9" and inserting "10"; following line 16, by inserting:

"Sec. 7. (a) If at any time a public innovative district fails to meet any of the renewal criteria set forth in subsection (b) of section 6, and amendments thereto, for two or more consecutive school years, then:

(1) Such public innovative district may submit a petition to the state board for a release of the grant of authority to operate as a public innovative district; or

(2) the coalition board may submit a petition to the state board requesting that such public innovative district have its grant of authority to operate as a public innovative district revoked.

(b) If a petition is submitted to the state board pursuant to subsection (a)(1), then the state board shall grant such petition and release such public innovative district from the grant of authority to operate as a public innovative district. Such release shall be effective for the school year immediately succeeding the grant of the petition.

(c) If a petition is submitted to the state board pursuant to subsection (a)(2), then the state board shall hold a hearing on the issues in controversy. Representatives of the public innovative district shall be provided the opportunity to present information refuting the basis upon which the petition is premised. At least 30 days' notice shall be provided to the board of education of the public innovative district prior to the hearing. Within 60 days after the hearing, the state board shall determine whether to grant or deny the petition. Notification of such decision shall be sent to the board of education of the public innovative district and shall specify the reasons therefor. If the petition is granted, the authority to operate as a public innovative district shall be revoked commencing with the school year immediately succeeding the grant of the petition.";

Also on page 5, in line 30, by striking "9" and inserting "10";

And by renumbering the remaining sections accordingly; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **HB 2106** be

passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Natural Resources** recommends **HB 2030**, as amended by House Committee of the Whole, be passed.

Committee on **Public Health and Welfare** recommends **Substitute for HB 2183**, as amended by House Committee of the Whole, be amended on page 2, following line 36, by inserting:

"New Sec. 3. The changes to law in this act shall be known as Chy J. Miller's law."; And renumbering sections accordingly; and the bill be passed as amended.

Committee on **Ways and Means** recommends **HB 2143** be amended by substituting a new bill to be designated as "Senate Substitute for HOUSE BILL NO. **2143**," as follows:

"SENATE Substitute for HOUSE BILL NO. **2143**

By Committee on Ways and Means

"AN ACT making and concerning appropriations for fiscal years ending June 30, 2013, 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. 2012 Supp. 2-223, 12-5256, 55-193, 66-2010, 72-8814, 74-50,107, 74-99b34, 75-2319, 76-3,107, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,156, 79-34,171, 79-4227, 79-4804 and 82a-953a and repealing the existing sections.";

And the substitute bill be passed.

On motion of Senator Bruce, the Senate adjourned until 2:30 p.m., Tuesday, March 19, 2013.

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

DIANE MINEAR, *Secretary of the Senate.*

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