

Journal of the Senate

SIXTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, May 11, 2010—10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-eight senators present.
Senators Colyer and Taddiken were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

The voices from home are taking on an increasingly impatient tone.
We have been told that our spouses, our children, our partners, our clients,
our friends, our business, our livestock, and our crops are in need of our attention.

We have heard such complaints as:

“You promised you would be home for my birthday.”

“You said you would be back in plenty of time for our trip.”

“This is too important to postpone again.”

“I just hope our children haven’t forgotten who you are.”

O God, help them to understand, that if it had been left up to any one of us,
we would have been home last week. But getting eighty-four people, and in some
cases one hundred and eleven, to agree on controversial issues cannot be done
quickly.

So show us the way to go home,
We’re tired and we want to go to bed.
We talked and talked till late in the night,
And we think everything’s been said.
Wherever we may roam
Under the old green dome . . .
You will always hear us singing this song:
We really want to go.
Oh, how we need to go,
Lord, we just got to go home.

I pray in the Name of Jesus Christ,

AMEN

The Pledge of Allegiance was led by President Stephen Morris.

MESSAGE FROM THE HOUSE

The House adopts the conference committee report on **Senate Substitute for HB 2356**.
The House concurs in Senate amendments to **Senate Substitute for HB 2360**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Hensley, Kelly and V. Schmidt introduced the following Senate resolution, which
was read:

SENATE RESOLUTION No. 1887—

A RESOLUTION congratulating and commending the Washburn University debate team for winning the national championship.

WHEREAS, The debate team at Washburn University is the top team in the nation after attaining first place in the 2010 National Parliamentary Debate Association championships held at Texas Tech University in Lubbock, Texas; and

WHEREAS, Out of 360 speakers, two members of the Washburn University team won medals, including Joe Allen of Boise, Idaho, who received third place, and Lauren Knoth of Independence, Missouri, who won fifth place in the individual speaker category; and

WHEREAS, Washburn won the overall squad sweepstakes, which is calculated by tracking the four best individual teams of each squad through the entire preliminary and elimination rounds at the tournament. Washburn took 10 teams to the championships and qualified four of them to elimination rounds, with four additional teams narrowly missing the elimination rounds by one ballot; and

WHEREAS, The last two years, Washburn placed second in the overall sweepstakes, and three years ago they placed third. This is the first national title for the team; and

WHEREAS, The National Parliamentary Debate Association is the first and largest intercollegiate debate tournament in the nation. Washburn was one of 60 squads to compete in the tournament. During the tournament, the squads debate various topics, such as foreign and domestic politics and philosophical perspectives. They debate in parliamentary style, wherein students are given a topic and have 20 to 30 minutes to prepare their arguments; and

WHEREAS, Students from Washburn University who participated in the debate were: Calvin Coker, Aly Fiebrantz, Andrew Lake, Keenan Hogan, Josh Ramsey, Lauren Knoth, Bobby French and Joe Allen. The director of forensics is Kevin O'Leary: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the Washburn University debate team for winning the national title at the 2010 National Parliamentary Debate Association championships, for continuing the tradition of excellence in debate at Washburn University, and extend our best wishes for their continued success and happiness; and

Be it further resolved: That the Secretary of the Senate be directed to send 10 enrolled copies of this resolution to Senator Hensley.

On emergency motion of Senator Hensley **SR 1887** was adopted unanimously.

PROTEST ON H Sub for SB 572

PROTEST

May 11, 2010

Mr. President:

According to Article 2, Section 10 of the Kansas Constitution, a legislator may make written protest against any act or resolution and the same shall be entered in the journal without delay or alteration.

My protest is in reference to the budget bill, House Substitute for SB 572. This budget commits more than \$300 million more than what we anticipate Kansas taxpayers will be paying in taxes to our state during fiscal year 2011. We have failed in our fiduciary responsibility to be good stewards of the people's money. Instead we have adopted almost a Robin Hood mindset of redistributing the wealth by taking money from those who earn it and giving it to those who did not.

There is no reasonable justification for increasing taxes in an economy which is in a serious recession. The notion that Kansans would want to become more productive so that we could capture more of their hard earned money is ridiculous.

The true energizing power in an economy is the productivity and ingenuity of its people when they are freed from excessive government taxation and regulation to provide for their families. We have lost sight of the fact that there is not a public or government sector without a healthy private sector. Too many times this session we have heard a legislator postulate

that government spending in some manner helps save our economy. If this were actually true, our economy should be overheating with all of the overspending by states and the federal government.

The result of our labor this session is a tax increase which will add up to more than \$1.5 billion over five years. This means that over the next five years, Kansans will not have access to \$1.5 billion of their own money to invest in their own businesses, pay for their own families' needs or to save for a future college education.

What has been accomplished is to set Kansas as the high tax state of the plains. We may as well etch this in Kansas limestone. Rather than learning from previous errors, we have repeated the history of the Great Depression which saw excessive government spending extending the depression for years. Even though I voted no, I am disheartened for Kansas because we have slowed the economic recovery which is so desperately needed.

Senator Karin Brownlee

On motion of Senator D. Schmidt, the Senate recessed until 3:00 p.m.

AFTERNOON-SESSION

The Senate met pursuant to recess with President Morris in the chair.

MESSAGE FROM THE GOVERNOR

April 22, 2010

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Directive No. 10-408 for your information.

MARK PARKINSON
Governor

The President announced Executive Directive No. 10-408, Authorizing Expenditure of Federal Funds, is on file in the office of the Secretary of the Senate and is available for review at any time.

REPORT ON ENROLLED BILLS

H Sub for SB 306; SB 434, SB 452 reported correctly enrolled, properly signed and presented to the Governor on May 11, 2010.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

SENATE CONCURRENT RESOLUTION No. 1632—

By Senators Morris, D. Schmidt and Hensley

A CONCURRENT RESOLUTION relating to the adjournment of the Senate and House of Representatives for a period during the 2010 regular session of the legislature.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on May 11, 2010, and shall reconvene at 10:00 a.m. on May 28, 2010, at which time the legislature shall reconvene and shall continue in session until sine die adjournment at the close of business on May 28, 2010; and

Be it further resolved: That the chief clerk of the House of Representatives and the secretary of the Senate and employees specified by the Director of Legislative Administrative Services for such purpose shall attend their duties each day during such period of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in subsections (a) and (b) of K.S.A.

46-137a, and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

Be it further resolved: That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the Legislative Coordinating Council or by the President of the Senate or the Speaker of the House of Representatives during the period of adjournment for which members are not authorized per diem compensation and subsistence allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

On motion of Senator D. Schmidt **SCR 1632** was adopted by voice vote.

On motion of Senator D. Schmidt and in compliance with **SCR 1632**, the Senate adjourned until Sine Die at 10:00 a.m., Friday, May 28, 2010.

HELEN MORELAND, ROSE MARIE GLATT, SHIRLEY LAMOTT, *Journal Clerks.*
PAT SAVILLE, *Secretary of the Senate.*

