

Journal of the Senate

TWENTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 12, 2013, 2:30 p.m.

The Senate was called to order by Vice President Jeff King.
The roll was called with thirty-nine senators present.
Senator Pettey was excused.
Invocation by Father Don Davidson:

We have the most wonderful vision Lord when it comes to what happened yesterday, but our sight is never clear about what may happen tomorrow. On this traditional “fat” Tuesday for many Christians, let us give pause to the wonder of life and the mystery of your continuing creation.

Each day our world changes, sometimes in huge ways other times in ways almost invisible to our eyes yet change it does. We know that we cannot predict every happenstance that might possibly occur, for that knowledge is known only by you who live without the boundary of time.

Help us Lord to respect the decisions of the past, to carefully make the choices of the day and prepare for whatever tomorrow may bring.

In your holy name we pray. Amen

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 170, AN ACT concerning counties; relating to the abatement of nuisances, by Committee on Education.

SB 171, AN ACT concerning school districts; relating to the Kansas uniform financial accounting and reporting act; amending K.S.A. 2012 Supp. 72-8254 and repealing the existing section, by Committee on Education.

SB 172, AN ACT concerning school districts; prohibiting the use of Carnegie units for purposes of determining graduation requirements, by Committee on Education.

SB 173, AN ACT concerning school districts; relating to school finance; relating to contributions to the Kansas public employees retirement system, by Committee on Education.

SB 174, AN ACT concerning school districts; relating to certain weightings in the school district finance and quality performance act; amending K.S.A. 72-6415 and K.S.A. 2012 Supp. 72-3715, 72-3716, 72-6407, 72-6414, 72-6415b and 72-6455 and

repealing the existing sections; also repealing K.S.A. 2012 Supp. 72-6413, 72-6448, 72-6454 and 72-6456, by Committee on Education.

SB 175, AN ACT concerning insurance; providing coverage for autism spectrum disorder; amending K.S.A. 2012 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Committee on Ways and Means.

SB 176, AN ACT creating the coalition of innovative districts act, by Committee on Ways and Means.

SB 177, AN ACT concerning elections; relating to unauthorized voting disclosures; amending K.S.A. 25-2422 and repealing the existing section, by Committee on Ethics, Elections and Local Government.

SB 178, AN ACT concerning school districts; relating to the amount of base state aid per pupil; relating to the local option budget; amending K.S.A. 2012 Supp. 72-6410 and 72-6433 and repealing the existing sections, by Senator Hensley.

SB 179, AN ACT concerning employment; relating to employment requirements in certain state contracts; relating to employment requirements for certain state tax benefits; amending K.S.A. 2012 Supp. 12-17,166, 74-50,131, 74-50,212, 79-32,154 and 79-32,243 and repealing the existing sections, by Senators Hensley, Faust-Goudeau, Haley, Hawk, Holland, Kelly and Pettey.

SB 180, AN ACT concerning the legislature; relating to length of regular sessions, by Senator Haley.

SB 181, AN ACT concerning personal property taxation; relating to motor vehicles; computation of amount of tax; state school district ad valorem tax levy; amending K.S.A. 79-5105 and repealing the existing section, by Committee on Assessment and Taxation.

SB 182, AN ACT concerning taxation; providing food sales tax refunds; homestead property tax refunds for renters; amending K.S.A. 2012 Supp. 79-4501, 79-4502, 79-4508, 79-4509, 79-4511 and 79-4522 and repealing the existing sections, by Senators Hensley, Faust-Goudeau, Francisco, Haley, Hawk, Holland and Pettey.

SB 183, AN ACT concerning sales taxation; relating to exemptions; state properties and facilities; amending K.S.A. 2012 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 184, AN ACT concerning the personal and family protection act; amending K.S.A. 2012 Supp. 75-7c10 and repealing the existing section, by Committee on Federal and State Affairs.

SB 185, AN ACT concerning use of vital statistics; relating to death and unborn child death certificates; amending K.S.A. 65-2401 and 65-2412 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 186, AN ACT concerning the personal and family protection act; amending K.S.A. 2012 Supp. 21-6309 and 75-7c10 and repealing the existing sections, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **SB 168**.

Assessment and Taxation: **SB 165**.

Committee of the Whole: **HB 2059**.

Education: **SB 169**.
 Financial Institutions and Insurance: **SB 166**.
 Judiciary: **SB 167; HB 2013, HB 2028**.
 Public Health and Welfare: **HB 2067**.
 Transportation: **SB 164**.

CHANGE OF REFERENCE

The Vice President withdrew **SB 54** from the Calendar under the heading of General Orders, and rereferred the bill to the Committee on **Federal and State Affairs**.

REFERRAL OF APPOINTMENTS

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

By the Governor:

Kansas Development Finance Authority:

Suchitra Padmanabhan, to serve a four year term to expire January 15, 2017.
 (Ways and Means)

By the Governor

Kansas Public Employees' Retirement system Board of Trustees:

Kelly Arnold, to serve a four year term, to expire January 15, 2017.
 (Ways and Means)

By the Governor

State Board of Indigents Defense Services:

Paul Beck, to serve a three year term, to expire January 15, 2016
 (Judiciary)

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2015, HB 2034, HB 2081**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2015, HB 2034, HB 2081 were thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

SENATE RESOLUTION No. **1712**—

A RESOLUTION congratulating Bob Koechner on receiving the community service award from the National Society of the Daughters of the American Revolution.

WHEREAS, Bob Koechner was awarded the community service award from the Three Trails West Chapter of the National Society of the Daughters of the American Revolution on February 14, 2013, for his continued commitment to his community; and

WHEREAS, Mr. Koechner worked tirelessly with others to attain running water as a public utility in the Stilwell community by petitioning and recruiting subscribers to help with the cost of construction. He also helped organize a Volunteer Fire Department for

Aubry Township, bringing multiple generations of people together to help maintain the safety of the Stilwell community. Along with his wife, Marjorie, Mr. Koechner helped organize many events for the community throughout the year, including the 4th of July Celebration; and

WHEREAS, Mr. Koechner bravely served his country in both World War II and the Korean Conflict. In addition, Mr. Koechner has been very active in his community church, the Queen of the Holy Rosary in Wea, Kansas, helping however he can, from giving financial support to aiding with construction; and

WHEREAS, Mr. Koechner and his family have continued to manage the Stilwell Oil Company, the oldest business in Stilwell, providing fuels and oils to Stilwell for three generations: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Mr. Bob Koechner for receiving the community service award from the Three Trails West Chapter of the National Society of the Daughters of the American Revolution and exhibiting the character and commitment it takes to serve his community daily with a smile on his face. Mr. Koechner serves as a role model not only to the citizens of Stilwell, but to all Kansans, and it is our pleasure to recognize him for this accomplishment. We wish him and his family continued happiness and success; and

Be it further resolved: That the Secretary of the Senate be directed to provide five enrolled copies of this resolution to Bob Koechner.

On emergency motion of Senator Apple **SR 1712** was adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 78** be amended on page 3, in line 23, by striking "and real property"; and the bill be passed as amended.

COMMITTEE OF THE WHOLE

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

On motion of Senator Petersen the following report was adopted:

SB 37, SB 51, SB 59, SB 92 be passed.

SB 41, SB 49, SB 80, SB 91 be amended by the adoption of the committee amendments, and the bills be passed as amended.

The committee report on **SB 36** recommending a **S Sub for SB 36** be adopted, and the substitute bill be passed.

SB 107 be passed over and retain a place on the calendar.

On motion of Senator Bruce, the Senate adjourned until 2:30 p.m., Wednesday, February 13, 2013.

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

DIANE MINEAR, *Secretary of the Senate.*

