

# Journal of the Senate

THIRTY-EIGHTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Tuesday, March 10, 2015, 2:30 p.m.

The Senate was called to order by President Susan Wagle.  
The roll was called with 39 senators present.  
Senator Pilcher-Cook was excused.  
Invocation by Father Don Davidson:

Recently departed actor and comedian Robin Williams said, "I used to think the worst in life is to end up all alone. It's not. The worst thing in life is to end up with people who make you feel all alone." The truth is Lord we need each other, we are not made to be alone and no human disagreement should out-rank the divine commandment to love. Our humanity is based on our ability to show compassion and caring no matter what. Let us strive first to care and then begin the work that must be done. In your holy name. Amen

The Pledge of Allegiance was led by President Susan Wagle.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**SB 277**, AN ACT concerning alcoholic beverages; relating to microbreweries; permitting the manufacture and sale of hard cider and mead; amending K.S.A. 2014 Supp. 41-102 and 41-308b and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 278**, AN ACT designating Cowley county the official stone bridge capital of Kansas, by Committee on Federal and State Affairs.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Commerce: **SB 276**.

Natural Resources: **SB 275**.

Transportation: **SB 274**.

## INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Holland, Abrams, Arpke, Bowers, Faust-Goudeau, Francisco, Haley, Hawk, Hensley, Kelly, Longbine, Love, McGinn, O'Donnell, Ostmeyer, Petersen, Pettey and Schmidt introduced the following Senate resolution, which was read:

## SENATE RESOLUTION No. 1722—

A RESOLUTION recognizing the Kansas Small Business  
Development Center's 2015 Businesses of the Year.

WHEREAS, The mission of the Kansas Small Business Development Center (KSBDC) is to increase economic prosperity in Kansas by helping entrepreneurs and small business owners start and grow their businesses through professional consulting, training and resources; and

WHEREAS, The KSBDC regional directors and staff select eight Emerging Business of the Year award recipients and eight Existing Business of the Year award recipients; and

WHEREAS, The Kansas Small Business Development Center's Business of the Year awards are designed to recognize KSBDC clients for superior performance; and

WHEREAS, Business of the Year award recipients have achieved major accomplishments, overcome significant obstacles, shown growth and impact based on the KSBDC Economic Impact Tracking spreadsheet, a record of profitability and demonstrated good corporate citizenship through community contributions; and

WHEREAS, The 2015 KSBDC Existing Businesses of the Year are: Advanced Systems Homes, Inc. in Chanute, Kansas, owned by Darin Luebbering; CS Gas, Inc. in Atwood, Kansas, owned by Karen Horinek; Enhanced HomeCare, LLC in Overland Park, Kansas, owned by Randy Block and Cindy Singer; Garden City Propane, LLC in Garden City, Kansas, owned by Dennis and Risa DeVaney; Leading Edge Aerospace, LLC in Wichita, Kansas, owned by Stan Unruh; McDonald Marketing in Bonner Springs, Kansas, owned by Brad and Kathy McDonald; The Merchant in Topeka, Kansas, owned by Lisa Boyd; and The Walters' Farm in Burns, Kansas, owned by Becky and Carroll Walters; and

WHEREAS, The 2015 KSBDC Emerging Businesses of the Year are: Art in Iron in Garnett, Kansas, owned by Mike Hill; Cat Clinic of Lawrence in Lawrence, Kansas, owned by Dr. Jennifer O'Driscoll; Flint Hills Music in Emporia, Kansas, owned by Thomas Silkman; Kansas Regenerative Medicine Center in Manhattan, Kansas, owned by John Farley; Kingsbury Service in Smith Center, Kansas, owned by Marty and Rhett Kingsbury; ReJuvv' Spa in Winfield, Kansas, owned by Tracie Gordon; Velo + Maps Coffee in Lenexa, Kansas, owned by Vincent Rodriguez; and Women's Specialist of Liberal, PA in Liberal, Kansas, owned by Dr. Lamberto Flores; and

WHEREAS, The KSBDC Businesses of the Year serve as examples of the success that the KSBDC and small business owners across Kansas can achieve: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we recognize the Kansas Small Business Development Center's 2015 Emerging and Existing Businesses of the Year and wish all of them and the KSBDC continued success in the future; and

*Be it further resolved:* That the Secretary of the Senate shall send 20 enrolled copies of this resolution to Senator Holland.

On emergency motion of Senator Holland **SR 1722** was adopted unanimously.

Recipients of the award were honored by the Senate with a standing ovation.

Senators Faust-Goudeau and Haley introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1723—

A RESOLUTION designating March 10, 2015, as Kansas TRIO Day.

WHEREAS, TRIO programs are federal outreach and student services programs designed to identify and provide services for individuals from disadvantaged backgrounds. TRIO includes eight programs targeted to serve and assist low income individuals, first generation undergraduate students and individuals with disabilities to complete high school and continue their education at a college, technical or vocational institution; and

WHEREAS, The TRIO programs are designed to help students address educational discrepancies. They provide educational information, counseling, academic instruction, tutoring, assistance in applying for financial aid and supportive encouragement to both students and their families. While student financial aid programs help students overcome financial barriers to higher education, TRIO programs help students overcome class, social and cultural barriers to higher education; and

WHEREAS, More than 2,700 TRIO programs currently serve nearly 866,000 low income Americans. Many programs service students in grades six through 12. Twenty-two thousand students with disabilities and more than 25,000 U.S. veterans are currently enrolled in TRIO programs; and

WHEREAS, Students enrolled in today's TRIO programs mirror our nation's multicultural and multi-ethnic society. Thirty-seven percent of TRIO students are white, 35% are African-American, 19% are Hispanic, 4% are Native American, 4% are Asian-American, and 1% are listed as "other," including multiracial students; and

WHEREAS, The state of Kansas proudly hosts 45 TRIO programs that serve 12,259 low income individuals, first generation undergraduate students, clients and veterans. There are also 192 professionals that work for the TRIO programs in Kansas. In order to more effectively serve our students, TRIO programs have developed over 270 non-TRIO-related educational collaborations that target elementary, middle and high schools throughout the state of Kansas. In total, Kansas TRIO programs have secured \$12,413,166 in federal funding; and

WHEREAS, There are 19 host institutions of higher education in Kansas. Many of these host institutions have multiple TRIO grant awards to serve their student, client and veteran populations: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we designate March 10, 2015, as Kansas TRIO Day and recognize the importance of TRIO programs in helping all Kansans achieve the American dream; and

*Be it further resolved:* That the Secretary of the Senate shall send one enrolled copy of this resolution to Senator Faust-Goudeau; Senator Haley; Mike Conley, Coordinator of the University of Kansas Upward Bound Program and President of the MO-KAN-NE Board of Directors; Kaye Monk Morgan, President of Mid-American Association of Educational Opportunity Program Personnel; Deltha Colvin, Associate Vice-President for Campus Life and University Relations, Special Programs at Wichita State University and former President of The Mid-America Association of Educational Opportunity Program Personnel; Ngondi Kamatuka, Director of the Center for Educational Opportunity Program at the University of Kansas; Dr. Mildred Edwards,

Executive Director of the Kansas African American Affairs Commission; Patrick Woods, Chair of the Kansas African American Affairs Commission; Lydia Santiago; Shukura Bakari-Cozart; Herecilia Thompson; Dr. Wade Robinson; Mulubrhan Negash; Maritza Machado-Williams; Rebecca Dukstein and Francis Irving.

On emergency motion of Senator Faust-Goudeau **SR 1723** was adopted unanimously.

Guests introduced included Mildred Edwards, James Barfield, Lydia Santiago, Shukura Bakari-Cozari, Deltha Colvin, Herecilia Thompson, Wade Robinson, Mulubrhan Negash, Maritza Machado-Williams, Rebecca Dukstein, Mike Conley, Carly Cooper, Absulaziz Abdulazia, Lisa Wills and Ladonna Williams.

The Senate honored the guests with a standing ovation.

### REPORTS OF STANDING COMMITTEES

Committee on **Transportation** recommends **HB 2006**, as amended by House Committee, be amended on page 2, in line 10, after the semicolon by inserting "or"; 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 Schmidt in the chair.

On motion of Senator Schmidt the following report was adopted:

Recommended: **SB 105** be passed.

**SB 59** be amended by the adoption of the committee amendments, and the bill be passed as amended.

The committee report on **SB 131** recommending **Sub SB 131** be adopted, and the substitute bill be passed.

The committee report on **SB 216** recommending **Sub SB 216** be adopted, be further amended by motion of Senator Smith, on page 3, in line 15, by striking all after the period; by striking all in line 16; in line 17, by striking all before "Each"

**Sub SB 216** be further amended by motion of Senator Pettey, on page 1, in line 27, by striking the first "of" and inserting ", 2016, and"; also in line 27, after "year" by inserting "thereafter"

**Sub SB 216** be further amended by motion of Senator Petty, on page 3, in line 29, by striking "seven" and inserting "four and **Sub SB 216** be passed as amended.

A motion by Senator Pettey to further amend **Sub SB 216** failed.

**HB 2053** be amended by the adoption of the committee amendments, be further amended by motion of Senator King, on page 2, in line 8, by striking "an existing" and inserting "a"; in line 9, after "code" by inserting "in effect on the date the current crime of conviction was committed"; in line 15, by striking "an existing" and inserting "a"; in line 16, after "code" by inserting "in effect on the date the current crime of conviction was committed"; in line 42, by striking "an existing" and inserting "a"; in line 43, after "code" by inserting "in effect on the date the current crime of conviction was committed";

On page 4, in line 30, by striking "existing" and inserting a comma; in line 31, after "code" by inserting "in effect on the date the current crime of conviction was committed"; in line 32, by striking "an existing" and inserting "a"; also in line 32, after

"offense" by inserting "in effect on the date the current crime of conviction was committed" and **HB 2053** be passed as further amended.

**REPORT ON ENGROSSED BILLS**

**SB 6, SB 244, SB 247** reported correctly engrossed, on March 9, 2015.

On motion of Senator Bruce, the Senate adjourned until 2:30 p.m., Wednesday, March 11, 2015.

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

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