

# Journal of the Senate

FIFTY-FOURTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Wednesday, April 29, 2015, 10:00 a.m.

The Senate was called to order by President Susan Wagle.

The roll was called with 38 senators present.

Senators Haley and McGinn were excused.

The President introduced the guest Chaplain, Rev. Michael McCrick, Preaching Minister at First Christian Church, Plainville, Kansas who delivered the invocation. He is a guest of Senator Bowers.

Blessed Lord and Almighty God. We ask that you watch over this Senate body and guide them in the important decisions they make for this state. We pray for their continued safety as they travel around Kansas listening and learning about the people and serving them. We thank you, Lord, for lettering us live in a wonderful state and for the inalienable rights and freedoms we hold dear in this still great land. My we never take them for granted and may they always be protected. We humbly pray all these things to You, Everlasting Father, through you Son, Jesus Christ, in whom all our hope and future rests. Amen

The Pledge of Allegiance was led by President Susan Wagle.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Ways and Means: **SB 300**.

## MESSAGES FROM THE GOVERNOR

**SB 8, SB 76, SB 108, SB 120, SB 252** signed into law April 6, 2015.

**SB 95** approved on April 07, 2015

## MESSAGE FROM THE GOVERNOR

### H Sub SB 117 — Veto Message from the Governor

While I appreciate the legislature's hard work on this legislation, I believe this bill is premature. To overregulate or improperly regulate an emerging industry before the marketplace actors make proper arrangements is to invite more problems, not less.

Kansas should be known as a state that embraces economic growth and innovation. The jobs created by this new industry can bring opportunity to many Kansas families. An open and free marketplace often results in higher quality products at a more affordable price.

This will allow companies like Uber to continue and expand operations in Kansas, where they otherwise would not be able to do so.

I applaud the discussions that have taken place nationally between the emerging ride-sharing industry and insurance companies. Similar discussions now need to take place with the banking community, which understandably wants to ensure its financial interests are also protected.

I also applaud the legislature's interest in protecting the safety of our citizens. I strongly support background checks for ride-sharing drivers. However, the ride-sharing industry believes the background requirement as currently written, weakens rather than strengthens, the level of scrutiny placed on its potential drivers. Therefore, I believe more time, more collaboration, and more discussion will ultimately result in a better public policy product for Kansas. In the meantime, local municipalities will regulate the ride-sharing industry just as they have always done with traditional passenger transportation companies. At this moment in time, they are better equipped to understand the unique and emerging challenges and opportunities the ride-sharing industry brings to their communities.

Though I am vetoing this bill, I am also calling upon ride-sharing companies, insurers, banks and credit unions, to work with our legislature to resolve their differences. These discussions have already begun among Uber and many major insurance companies. The same should begin with banks and credit unions. I look forward to reviewing a new bill that results from these conversations.

Pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto **House Substitute for Senate Bill 117**.

Dated: April 20, 2015

Signed: SAM BROWNBACK, *Governor of Kansas*

### ORIGINAL MOTION

Senator Bruce moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **HB 2154**.

### ORIGINAL MOTION

On motion of Senator Ostmeyer, the Senate acceded to the request of the House for a conference on **HB 2154**.

The President appointed Senators Ostmeyer, LaTurner and Faust-Goudeau as conferees on the part of the Senate.

### CHANGE OF CONFERENCE

The President announced the appointment of Senator Hensley as a member of the Conference Committee on **S Sub for Sub HB 2170** to replace Senator Pettey.

### INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

SENATE RESOLUTION No. 1731—

A RESOLUTION congratulating the Baldwin High School wrestling team

on winning the 2015 Class 4A State Wrestling Championship.

WHEREAS, The Baldwin High School wrestling team won the 2015 Kansas State High School Activities Association Class 4A State Wrestling Championship held at the Bicentennial Center in Salina. Led by two individual champions, Baldwin won its first-ever state wrestling trophy. Baldwin scored 113 points, outscoring runner-up Chanute by eight points; and

WHEREAS, State medalists were:

152 pounds – Jon Pratt, first

138 pounds – Thomas Lisher, first

182 pounds – Joel Halford, third

160 pounds – Owen Tuckfield, third

195 pounds – Jake Katzer, fourth

106 pounds – Levi Green, fourth

170 pounds – Joel Katzer, sixth

Also competing at the state tournament were freshman T.J. Hopper at 113 pounds, junior Ben Morgenstern at 126 pounds and senior Gunther Wehrman at 220 pounds; and

WHEREAS, The head coach is Kit Harris and his assistant coaches are Kip Clark, Colby Soden and Nick Rockhold; and

WHEREAS, The team had the enthusiastic support of the school's administrators, the faculty, the students, the wrestlers' parents and many area citizens: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That the Baldwin High School wrestling team and Coach Harris be congratulated for winning the 2015 Kansas State High School Activities Association Class 4A State Wrestling Championship, 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 an enrolled copy of this resolution to Senator Holland.

On emergency motion of Senator Holland **SR 1731** was adopted unanimously.

The Senate honored the guests with a standing ovation.

Senators Petersen, Abrams, Donovan, Faust-Goudeau, Kerschen, Masterson, McGinn, O'Donnell, Schmidt and Wagle introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1732—

A RESOLUTION congratulating the Wichita South High School women's basketball team on its class 6A state championship.

WHEREAS, The Wichita South High School women's basketball team won the class 6A state title for 2015; and

WHEREAS, This is the third consecutive state title the Wichita South High School women's basketball team has won. The women defeated the Maize South High School women's basketball team with a score of 56-48; and

WHEREAS, Members of this year's Wichita South High School women's basketball team include Kendrian Elliott, Krissandra Pollard, Trezure Jobe, Mauri Scales, Kyra Ivy, Ericka Mattingly, Destiny Pittman, Kyla Callins, Kirea Rogers, Patrice Dodson, Sydni James and Deionne White. The team's cumulative GPA is 3.25. The team manager was Ogechi Odunze; and

WHEREAS, The team's coach, Antwain Scales, along with assistant coaches, Heidi Dreiling and Wayne Riddle, worked diligently with this year's team, improving the team's skills and ultimately leading them to the 2015 class 6A state championship; and

WHEREAS, The Wichita South High School women's basketball team has an overall record of 85-13 in the past four seasons. Wichita South High School women's basketball program as a whole has been successful, with the Junior Varsity team, coached by Heidi Dreiling, holding a 57-3 record in three years and the C-team, coached by Wayne Riddle, holding a record of 60-0 in three seasons; and

WHEREAS, The mission for Wichita South only partially involves basketball. Although there has been great success on the basketball court, every senior has the opportunity to further their education at no additional cost. Basketball is the vehicle being used in developing these young ladies to understand the importance of education, team unity, hard work and dedication. These essential values will follow them for the rest of their lives: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate the Wichita South High School women's basketball team on its class 6A state championship. These young women have worked hard throughout the season, and this state title is a testament to that hard work; and

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

On emergency motion of Senator Petersen **SR 1732** was adopted unanimously.

The Senate honored the guests with a standing ovation.

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

SENATE RESOLUTION No. 1733—

A RESOLUTION congratulating the Hoxie High School women's basketball team on winning the 2015 Class 1A State Championship.

WHEREAS, The Hoxie High School women's basketball team won the 2015 Kansas State High School Activities Association Class 1A State Championship with a 67-53 victory over Centralia High School; and

WHEREAS, This is the Hoxie High School women's basketball team's fourth consecutive Class 1A State Championship title. For the third season in a row, the Hoxie team had a remarkable 26-0 record for the season. The team's last loss was in December 2011. Since then, Hoxie has won 95 consecutive games, breaking the previous state record held by Little River, which won 91 games in a row from 1995 to 1998; and

WHEREAS, This year, USA Today awarded the Hoxie High School women's basketball team the title of Best Girls Basketball Program as part of USA Today's High School Sports' "Best of" contest series. Hoxie finished with 210,934 votes, beating out Louisiana's Friendship Capitol and Oklahoma's Deer Creek; and

WHEREAS, The team's coach, Shelly Hoyt, along with assistant coach, Emily Bogue, worked diligently with this year's team, improving the team's skills and ultimately leading them to the 2015 Class 1A State Championship; and

WHEREAS, The members of the 2015 Hoxie High School women's basketball team were: Carly Heim, Lexi Schamberger, Terran Hoyt, Kelsey Geerdes, Serena McCown, Lara Stephens, Brynn Niblock, Nicole Heim, Erin Carter, Lilly Schamberger, Brooke

Dorenkamp and Rebekah Castle. The team managers were Maiah Castle, Katie Geerdes, Addi Campbell and Macy Schamberger: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate the Hoxie High School women's basketball team on its fourth consecutive state championship title. These young women have worked hard throughout the season, and these state titles are testaments to that hard work; and

*Be it further resolved:* That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Ostmeyer.

On emergency motion of Senator Ostmeyer **SR 1733** was adopted unanimously. The Senate honored the guests with a standing ovation.

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

SENATE RESOLUTION No. 1734—

A RESOLUTION congratulating the Sharon Springs-Wallace County High School boys' basketball team on winning the 2015 Class 1A Division II State Championship.

WHEREAS, Sharon Springs-Wallace County High School boys' basketball team won the 2015 Class 1A Division II State Championship with a 72-61 victory over St. John's Beloit-Tipton; and

WHEREAS, The state championship win is the boys' basketball team's first title since 1935 and second in program history; and

WHEREAS, The team's coach, Larry O'Connor, along with assistant coach, Laran Steele, worked diligently with this year's team, improving the team's skills and ultimately leading them to the 2015 Class 1A Division II State Championship; and

WHEREAS, The members of the Sharon Springs-Wallace County High School boys' basketball team were: Chad Martinek, Eric Gfeller, Luke Schemm, Cade Allen, Ivan Montes, Hardin Perry, Grady Hammer, Chisum Grund, Nate Klinge, Spencer Medina, Gabe Klinge and Carlin Springsteel. The team managers were Evin Bergquist, Trever Medina, Andrew Noone, Sammy Aquino and Chandler Gibbs: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate the Sharon Springs-Wallace County High School boys' basketball team on its state championship title. Their hard work and athletic ability are points of pride for their families, school and the community of Sharon Springs. We extend our best wishes for their continued success in the future; and

*Be it further resolved:* That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Ostmeyer.

On emergency motion of Senator Ostmeyer **SR 1734** was adopted unanimously.

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

SENATE RESOLUTION No. 1735—

A RESOLUTION congratulating the Norton Community High School wrestling team on winning the 2015 Class 3-2-1A State Wrestling Championship.

WHEREAS, The Norton Community High School wrestling team won the 2015 Kansas State High School Activities Association Class 3-2-1A State Wrestling Championship held at Gross Memorial Coliseum in Hays. Norton scored 118.5 points,

outscored runner-up Hoisington by 14 points; and

WHEREAS, The 2015 Norton wrestlers added another chapter to their school's history of success in wrestling, as this is Norton's third consecutive championship win and the second time they have won three championships in a row; and

WHEREAS, State medalists were:

106 pounds – Ryan Johnson, second

113 pounds – Skylar Johnson, third

152 pounds – Mike Kasson, third

182 pounds – Gavin Lively, third

145 pounds – Jared Tallent, fourth

170 pounds – Kendall Miller, fourth

195 pounds – Jordan Dole, fifth

Also competing at the state tournament were sophomore Kade Unterseher at 120 pounds, junior Weston Erbert at 138 pounds and freshman Collyn Aufer at 285 pounds; and

WHEREAS, The head coach is Bill Johnson and his assistant coaches are Eric Johnson, Shane Miller and Tony Fiscus. Team managers were Lindsay Addington and Macayla Kent; and

WHEREAS, The team had the enthusiastic support of the school's administrators, the faculty, the students, the wrestlers' parents and many area citizens: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate the Norton Community High School wrestling team and Coach Johnson for winning the 2015 Kansas State High School Activities Association Class 3-2-1A State Wrestling Championship, 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 an enrolled copy of this resolution to Senator Ostmeyer.

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

#### **REPORT ON ENROLLED BILLS**

**H Sub for SB 36; H Sub for SB 117; SB 124, SB 127, SB 156, SB 228, SB 240** reported correctly enrolled, properly signed and presented to the Governor on April 10, 2015.

#### **REPORT ON ENGROSSED BILLS**

**H Sub SB 36, H Sub SB 117; SB 124, SB 127, SB 156, SB 228, SB 240** reported correctly engrossed April 6, 2015.

On motion of Senator Bruce, the Senate adjourned until 10:00 a.m., Thursday, April 30, 2015.

ROSE MARIE GLATT, CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

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