

# Journal of the Senate

## FIRST DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Monday, January 11, 2016, 2:30 p.m

In accordance with the provisions of the Constitution of the State of Kansas and by the virtue of her office as President of the Senate, President Susan Wagle declared the 2016 Senate to be in session.

President Wagle welcomed Reverend Cecil T. Washington, who will again serve as the Senate Chaplain. He delivered the following invocation:

Heavenly Father, We come again to the beginning of another session. And as Moses told Joshua to deliver the laws to Your people in Deuteronomy 31:7, and that he was to be of good courage, because You'd never fail nor forsake them, remind us of the same. As we all labor together...the Senators...the supporting staff and all who work these halls, to deliver laws to Your people, remind us afresh of Your gracious, governing, guiding presence. Like the chef, who brings just the right mixture of ingredients together, with just the right temperature, do that with us. During this session, as laws are being prepared, give us just the right mix of ingredients, from both sides of the aisle. And help us maintain just the right temperature in our attitudes and actions. Like the chef, who tops off and completes a fine meal, top off and complete the work that You're going to accomplish in these halls. When all is said and done, and the people have consumed...even devoured the results of this session, help us all to recognize, celebrate and applaud You, as the Head Chef. Keep us as Your humble servants...as waiters and waitresses, and may the final word on the street be, that for the citizens of Kansas, You cooked up some pretty good stuff. Here's thanking You in advance for what You're about to do. In the name of Jesus, Amen and Amen.

The Pledge of Allegiance was led by President Susan Wagle.

President Wagle introduced Melissa Seabaugh who will serve as Reader for the 2016 legislative session.

The roll was called with 39 senators present.  
Senator Love was excused.

### District

1. Dennis Pyle
2. Marci Francisco
3. Tom Holland

### District

21. Greg A. Smith
22. Tom Hawk
23. Rob Olson

- |                       |                                  |
|-----------------------|----------------------------------|
| 4. David Haley        | 24. Tom Arpke                    |
| 5. Steve Fitzgerald   | 25. Michael O'Donnell            |
| 6. Pat Pettey         | 26. Dan Kerschen                 |
| 7. Kay Wolf           | 27. Leslie D. "Les" Donovan, Sr. |
| 8. Jim Denning        | 28. Mike Petersen                |
| 9. Julia Lynn         | 29. Oletha Faust-Goudeau         |
| 10. Mary Pilcher-Cook | 30. Susan Wagle                  |
| 11. Jeff Melcher      | 31. Carolyn McGinn               |
| 12. Caryn Tyson       | 32. Steve E. Abrams              |
| 13. Jacob LaTurner    | 33. Michth Holmes                |
| 14. Forest J. Knox    | 34. Terry Bruce                  |
| 15. Jeff King         | 35. Rick Willborn                |
| 16. Ty Masterson      | 36. Elaine S. Bowers             |
| 17. Jeff Longbine     | 37. Molly Baumgardner            |
| 18. Laura Kelly       | 38. Garrett Love                 |
| 19. Anthony Hensley   | 39. Larry R. Powell              |
| 20. Vicki L. Schmidt  | 40. Ralph Ostmeyer               |

**INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS**

Senators Wagle, Bruce and Hensley introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1755—

A RESOLUTION relating to the organization of the Senate.

*Be it resolved by the Senate of the State of Kansas: That the Secretary of the Senate notify the House of Representatives that the Senate is organized with the following officers:*

- Susan Wagle, president,*
- Jeff King, vice-president,*
- Terry Bruce, majority leader,*
- Anthony Hensley, minority leader,*
- Corey Carnahan, secretary,*
- Charles (Nick) Nicolay, sergeant at arms,*
- and awaits the pleasure of the House of Representatives.*

On emergency motion of Senator Bruce **SR 1755** was adopted unanimously.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**SB 312**, AN ACT concerning the legislative post audit committee; auditing unified school districts; amending K.S.A. 2015 Supp. 46-1133 and repealing the existing section, by Committee on Legislative Post Audit Committee.

**SB 313**, AN ACT concerning the legislative division of post audit; relating to information technology audits; amending K.S.A. 2015 Supp. 46-1135 and repealing the existing section, by Committee on Legislative Post Audit Committee.

**SB 314**, AN ACT concerning the local food and farm task force; extending the expiration date; amending K.S.A. 2015 Supp. 2-3805 and repealing the existing section,

by Senator Kerschen.

**SB 315**, AN ACT concerning foster care; relating to the number of children authorized by a foster care license; amending K.S.A. 2015 Supp. 65-504 and repealing the existing section, by Senator Faust-Goudeau.

**SB 316**, AN ACT concerning property taxation; amending K.S.A. 2015 Supp. 79-1801 and 79-2925b and repealing the existing sections, by Senator LaTurner.

**SB 317**, AN ACT relating to economic development; concerning promotion of small businesses and community organizations in low income areas; enacting the Kansas reinvestment act, by Senator Faust-Goudeau.

### CHANGE OF REFERENCE

The President withdrew **SB 19** and **SB 22** from the Calendar under the heading of **General Orders**, and rereferred the bills to the **Committee on Judiciary**.

### MESSAGE FROM THE GOVERNOR

May 18, 2015

*To The Senate of the State of Kansas:*

Submitted herewith for confirmation by the Senate is an appointment made by me as the Governor of the State of Kansas, pursuant to law.

Sam Brownback  
Governor

*Executive Director, Racing and Gaming Commission, Donald Brownlee (R), Berryton, pursuant to the authority vested in me by K.S.A. 74-8805, and effective upon the date of confirmation by the Senate, to serve at the pleasure of the governor, to succeed Rick Petersen-Klein.*

July 9, 2015

*To the Senate of the State of Kansas:*

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Sam Brownback  
Governor

*Regent, Board of Regents, Dennis Mullin (R), Manhattan, pursuant to the authority vested in me by KSA 74-3202a et seq., and effective upon the date of confirmation by the Senate, to serve a four year term, to expire June 30, 2019, to succeed Robba Moran.*  
*Regent, Board of Regents, David Murfin (R), Wichita, pursuant to the authority vested in me by KSA 74-3202a et seq., and effective upon the date of confirmation by the Senate, to serve a four year term, to expire June 30, 2019, to succeed Kenny Wilk.*  
*Regent, Board of Regents, Daniel Thomas (R), Mission Hills, pursuant to the authority vested in me by KSA 74-3202a et seq., and effective upon the date of confirmation by the Senate, to serve a four year term, to expire June 30, 2019, to succeed Fred Logan.*

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*Member, Kansas Lottery Commission, Alana Roethle (R), Leawood, pursuant to the authority vested in me by KSA 74-8709, and effective upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2019, to succeed Carl Gerlach.*

*Member, Kansas Lottery Commission, Catherine Moyer (D), Ulysses, pursuant to the authority vested in me by KSA 74-8709, and effective upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2019, to succeed herself.*

August 19, 2015

*To the Senate of the State of Kansas:*

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Sam Brownback  
Governor

*Member, Racing and Gaming Commission, Jan Kessinger (R), Leawood, pursuant to the authority vested in me by KSA 74-8803 et seq., and effective upon the date of confirmation by the Senate, to serve a four year term, to expire January 15, 2019, to succeed Laura McConwell.*

*Member, State Board of Tax Appeals, Devin Sprecker (R), Lyndon, pursuant to the authority vested in me by KSA 74-2433 and SB 231, and effective upon the date of confirmation by the Senate, to serve a four year term, to expire January 15, 2016, to succeed Sam Sheldon.*

*Member, Kansas Public Employees Retirement Board of Trustees, Michael Rogers (D), Manhattan, pursuant to the authority vested in me by KSA 74-4905 et seq., and effective upon the date of confirmation by the Senate, to serve a four year term, to expire January 15, 2019, to succeed Terry Matlack.*

August 21, 2015

*To the Senate of the State of Kansas:*

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Sam Brownback  
Governor

*Member, State Civil Service Board, Raymond Melugin (R), Wichita, pursuant to the authority vested in me by KSA 74-2929a, and effective upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2018, to succeed Correne Green.*

*Member, Kansas Development Finance Authority, Chris Donnelly (R), Tonganoxie, pursuant to the authority vested in me by KSA 74-8903, and effective upon the date of confirmation by the Senate, to serve a four year term, to expire January 15, 2017, to succeed Patti Petersen-Klein.*

**COMMUNICATIONS FROM STATE OFFICERS**

January 11, 2016

The Honorable Susan Wagle  
President, Kansas Senate  
State Capitol  
Topeka, Kansas 66612

Dear President Wagle:

This letter is to advise you that of the Office of the Secretary of the Senate received the following communications during the interim since adjournment of the 2015 Session of the Legislature:

The Kansas Public Employees Retirement System submitted its annual financial report, its alternative investment report, and also its annual report regarding KPERS investments in Sudan;

The Office of the Attorney General submitted its annual report of the Consumer Protection and Antitrust Division and also its annual report of the Kansas State Child Death Review Board;

The Kansas Housing Resources Corporation submitted its audited financial statements for the fiscal year ending June 30, 2015;

The Johnson County Research Triangle Authority submitted its annual financial report;

The Kansas Development Finance Authority submitted its financial statements for years ended June 30, 2015 and 2014 and its independent auditor's report;

The Pooled Money Investment Board submitted its annual report for fiscal year 2015;

The Central Interstate Low-Level Radioactive Waste Commission submitted its annual report; and

The Kansas Department of Corrections submitted its annual report.

Sincerely,  
Corey Carnahan  
Secretary of the Senate

January 11, 2016

The Honorable Susan Wagle  
President, Kansas Senate  
State Capitol  
Topeka, Kansas 66612

Dear President Wagle:

As provided in KSA 75-105, I have received from the Honorable Sam Brownback, Governor of the State of Kansas, since the adjournment of the 2015 Session of the legislature, the following communications:

Executive Directive No. 15-463 and 15-466 through 15-469, authorizing expenditure of federal funds;

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Executive Directive No. 15-464, authorizing fund transfers;  
Executive Directive No. 15-465 and 15-470, authorizing personnel transactions;  
Executive Order 15-05, preservation and protection of religious freedom;  
Executive Order 15-06, designation of the KansasWorks state board as the state workforce development board;  
and Executive Order 15-07 and 16-01, protecting Kansas from Terrorism.

Sincerely,  
Corey Carnahan  
Secretary of the Senate

President Wagle announced the above reports are on file in the office of the Secretary of the Senate and are available for review at any time.

#### **MESSAGE FROM THE HOUSE**

Announcing adoption of **HR 6029**, a resolution relating to the organization of the House of Representatives:

*Be it resolved by the House of representatives of the State of Kansas:*

That the chief clerk of the House of Representatives notify the senate that the House is organized with the following officers:

Ray Merrick, Speaker  
Peggy Mast, Speaker Pro Tem,  
Jene Vickrey, Majority Leader,  
Tom Burroughs, Minority Leader  
Susan Kannarr, Chief Clerk  
Foster Chisholm, Sergeant at Arms,

and await the pleasure of the Senate.

Announcing adoption of **HCR 5020**, a concurrent resolution creating a committee to inform the Governor that the legislature is organized and ready to receive communications. Representatives Campbell, Ewy and Sawyer are appointed to wait upon the Governor.

Announcing adoption of **HCR 5021**, a concurrent resolution providing for joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

The following escorts are appointed for the State of the State:

To escort the Governor: Representatives Campbell, Ewy and Lusker  
To escort the Lt. Governor: Representatives Hutchins, Ryckman, Sr. and Whipple  
To escort the Supreme Court: Representatives Barker, Estes and Curtis  
To escort the Senate: Representatives Barton, Whitmer and Ousley

**HCR 5020** was introduced and read by title.

On motion of Senator Bruce, an emergency was declared, the rules suspended and **HCR 5020** was adopted by voice vote.

The President appointed Senator Bowers and Senator Kelly to wait upon the Governor.

**HCR 5021** was introduced and read by title.

On motion of Senator Bruce, an emergency was declared, the rules suspended and **HCR 5021** was adopted by voice vote.

The President appointed Senator Wolf and Senator Francisco to escort the Governor; Senator Denning and Faust-Goudeau to escort the Lieutenant Governor; and Senator Love and Senator Hawk to escort the Supreme Court.

On motion of Senator Bruce, the Senate adjourned until 2:30 p.m., Tuesday, January 12, 2016.

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

