

Journal of the Senate

SEVENTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, May 25, 2017, 10:00 a.m.

The Senate was called to order by Vice President Jeff Longbine.

The roll was called with 38 senators present.

Senators Haley and Hawk were excused.

Vice President Longbine introduced guest chaplain, Reverend Jeff Clinger, First UMC, Topeka to deliver the invocation:

Dear God, we are still here. Help us. We know that You are present, always and everywhere, and so we bow before You as we gather here once again... Help us. We confess to you, O God, that we often neglect to acknowledge Your presence. In our going, and doing, and striving, and planning, and scheming, we get wrapped up in our efforts and ideas and answers. Help us. Help us open ourselves to You, in this place, at this time. Help us be open, O God, to the possibility that we might not be right. Remind us of Your presence. Open us to Your presence. Transform us with Your presence. Be with us, this day, and always, O God. So that we might utilize the gifts You have given us, not for our own agendas and to our own ends, but for the betterment of all in this great state and throughout Your creation. In Your Holy Name, Amen.

The Pledge of Allegiance was led by Vice President Longbine.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Public Health and Welfare: **SB 253**.

MESSAGES FROM THE GOVERNOR

H Sub SB 40, H Sub SB 120; SB 149 approved on May 24, 2017

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

SENATE RESOLUTION No. 1752—

A RESOLUTION congratulating and commending the Turner High School boys swimming and diving team for winning their first state championship event.

WHEREAS, The Turner High School Golden Bears boys swimming and diving team competed in the Kansas State High School Activities Association Class 5-1A state swimming meet on February 16-18, 2017, in Topeka; and

WHEREAS, The Golden Bears won their first state championship event in school history by winning the gold medal in the 200 freestyle relay; and

WHEREAS, The Golden Bears' winning time of 1:29.21 broke the previous meet record set by Wichita Heights High School in 2015; and

WHEREAS, Members of the relay team are: Seniors Gabe Pena, Thomas Xiong and Ashton Chowning; and junior Ethan Harrity; and

WHEREAS, The team is led by coaches Ryan Lee and Sophie Pena; and

WHEREAS, Dr. Alan Penrose is the proud principal of Turner High School: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the Turner High School boys swimming and diving team for winning their first state championship event, and we wish them success in their future endeavors; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Pettey.

On emergency motion of Senator Pettey **SR 1752** was adopted unanimously.

Guests introduced were Dr. Alan Penrose, Ben Sutherlin, Gabe Pena, Ethan Harrity, Thomas Ziong, Micky Ziong, Brian Ziong, Ashton Cowning and Ryan Lee.

The Senate honored the team with a standing ovation.

ORIGINAL MOTION

Senator Denning 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 bills: **Sub HB 2230**.

On motion of Senator Denning, the Senate recessed until the sound of the gavel.

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

COMMITTEE OF THE WHOLE

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

On motion of Senator Schmidt the following report was adopted:

Sub HB 2230 be amended by the adoption of the committee amendments, be further amended by motion of Senator Billinger: on page 5, following line 32, by inserting:

"(o) No exemption authorized by K.S.A. 79-227, and amendments thereto, of property from the payment of ad valorem property taxes assessed shall be granted unless the requesting property owner files an initial request for exemption pursuant to this section within two years of the date in which construction of a new qualifying pipeline property began. The provisions of this subsection shall be applicable to all requests for exemptions filed in accordance with subsection (a) after June 30, 2017.";

On page 1, in the title, in line 4, after the semicolon by inserting "time limitations for filing request for exemption for certain qualifying pipeline property;" and **Sub HB 2230** be passed as further amended.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Denning an emergency was declared by a 2/3 constitutional majority, and **Sub HB 2230** was advanced to Final Action and roll call.

Sub HB 2230, AN ACT concerning property taxation; relating to exemptions; property owned by a redevelopment authority and located in a redevelopment district within a former federal enclave; allowing county appraisers to exempt certain property without order from the board of tax appeals; time limitations for filing request for exemption for certain qualifying pipeline property; amending K.S.A. 2016 Supp. 79-213 and repealing the existing section.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Hardy, Hensley, Hilderbrand, Holland, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Haley, Hawk.

The substitute bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Education Finance** recommends **HB 2186**, as amended by House Committee of the Whole, be amended by substituting a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2186," as follows:

"Senate Substitute for HOUSE BILL NO. 2186

By Select Committee on Education Finance

"AN ACT concerning education; relating to the instruction and financing thereof; making and concerning appropriations for the fiscal years ending June 30, 2018, and June 30, 2019, for the department of education; creating the Kansas school equity and enhancement act; amending K.S.A. 12-17,115 and 72-8803 and K.S.A. 2016 Supp. 10-1116a, 12-1677, 12-1770a, 12-1775a, 12-1776a, 72-978, 72-1046b, 72-1398, 72-1414, 72-1923, 72-3712, 72-3715, 72-5333b, 72-64b01, 72-64c03, 72-64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-67,115, 72-7535, 72-8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8249, 72-8250, 72-8251, 72-8302, 72-8309, 72-8316, 72-8415b, 72-8801, 72-8804, 72-8908, 72-9509, 72-9609, 72-99a02, 72-99a02, as amended by section 92 of this act, 72-99a04, 74-4939a, 74-8925, 74-99b43, 75-2319, 79-201x, 79-213, 79-2001 and 79-2925b and repealing the existing sections; also repealing K.S.A. 2016 Supp. 46-1133, 72-6482 and 75-2319, as amended by section 46 of Senate Substitute for Substitute for House Bill No. 2052.";

And the substitute bill be passed.

MESSAGE FROM THE HOUSE

Announcing passage of **Sub HB 2410**.

The House concurs in Senate amendments to **S Sub HB 2132**, and requests return of the bill.

Announcing adoption of **HCR 5015**.

The House adopts the Conference Committee report on **SB 83**.

The House adopts the Conference Committee report on **SB 201**.

The House announced the appointment of Representative Ward as a conferee on **SB 30** to replace Representative Sawyer

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2410; HCR 5015 were thereupon introduced and read by title.

HCR 5015, A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period during the 2017 regular session of the legislature, was introduced and read by title.

On emergency motion of Senator Denning, **HCR 5015** was adopted by voice vote.

REPORT ON ENROLLED BILLS

SR 1749, SR 1750, SR 1751 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on May 25, 2017.

On motion of Senator Denning, the Senate adjourned until 10:00 a.m., Tuesday, May 30, 2017.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.

COREY CARNAHAN, *Secretary of the Senate*.

