

# Journal of the Senate

EIGHTIETH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Friday, June 2, 2017, 10:00 a.m.

The Senate was called to order by President Susan Wagle.  
The roll was called with 39 senators present.  
Senator Julie Lynn was excused.  
Senator Marci Francisco delivered the invocation:

May this be a day of wisdom. May this be a day of peace. May this be a day of joy. May we share food and flowers from our gardens. May we share ideas and thoughts from our hearts. But may we hold our tongues when we are angry, or, at the very least, have counted to 10 first. May we give others the help and support they need. May we remember to thank others for the help and support they have given us, our friends and our families. May we always remember that we are here in the Capitol because we want to help others. So may we do what is best for the people of Kansas on this day and on every other. And so be it. Amen.

The Pledge of Allegiance was led by President Wagle.

## **POINT OF PERSONAL PRIVILEGE**

Senator Faust-Goudeau rose on a Point of Personal Privilege to recognize Martha Dorsey who is retiring after 16 years working in the Kansas Legislative Research Department.

The senators honored Martha with a standing ovation.

## **INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS**

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

SENATE RESOLUTION No. 1755—

A RESOLUTION congratulating and commending  
the Butler County Community College Grizzlies softball team.

WHEREAS, On May 20, 2017, the Butler County Community College Grizzlies softball team won their second consecutive National Junior College Athletic Association (NJCAA) National Championship; and

WHEREAS, The team finished with a final record of 58 wins and 1 loss, which includes a 50-game winning streak; and

WHEREAS, The national championship tournament was held in St. George, Utah. The Grizzlies won the national title by defeating Salt Lake Community College 11-7 in

the championship game. Butler went 5-0 in the national tournament and defeated teams from Alabama, Texas, Arizona, and Utah by a combined score of 53-14; and

WHEREAS, The Grizzlies are the first team in 25 years to win consecutive championships. The last team to do so was Central Arizona College, which won five straight from 1988 to 1992; and

WHEREAS, After winning its final 38 games in the 2016 season, the Grizzlies started the 2017 season 50-0. The 88-game winning streak is the longest in the history of college softball and surpassed the record of 55 straight set by Northern Kentucky University in 2005; and

WHEREAS, The Grizzlies are 111-5 over the past two years, and head coach Doug Chance, a Kansas native, has a record of 564-148 (.792) in 13 years as Butler's head coach, which is an average of 43 wins per season; and

WHEREAS, Butler had four players from Kansas in the starting lineup during the national title game and started as many as six Kansas players in games throughout the season; and

WHEREAS, Among the Kansas players to start in the tournament were: Tournament MVP Becca Schulte, Andover; and Outfielder Brynn Minor, Goddard, who hit three home runs in the championship game. Other Kansas players on the roster come from Derby, Towanda, Topeka and Maize; and

WHEREAS, Members of the team are: Caylie Kifer; Brynn Minor; Ki'Audra Hayter; Reagan Wilson; Tyesha Morgan; Chloe Holman; Beanie Luttig; Becca Schulte; Allison Jurgensen; Paige Pacher; Celina Sullivan; Tamarah Mascher; Regan Mergele; Alexis Reed; Kenzie Young; Nykiah Hines; Darrienne Hale; and Maddie Siemer; and

WHEREAS, Along with head coach Doug Chance, the assistant coaches are: Zach Sigler; Jeff Filali; and Matt Sanders: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate and commend the Butler County Community College Grizzlies softball team, and we wish them the best of luck as they strive toward a third consecutive national championship; and

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

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

Senator Hilderbrand introduced the following Senate resolution, which was read:  
SENATE RESOLUTION No. 1756—

A RESOLUTION congratulating and commending  
the Pittsburg State University Women's Outdoor Track and Field team.

WHEREAS, The Pittsburg State University Gorillas captured the 2016 National Collegiate Athletic Association (NCAA) Division II Women's Outdoor Track and Field Championship on May 28, 2016, in Bradenton, Florida; and

WHEREAS, Pittsburg State also captured the 2016 Mid-America Intercollegiate Athletic Association (MIAA) Women's Outdoor Track and Field Championship; and

WHEREAS, There were 11 Gorillas who earned All-MIAA honors, and another eight who earned NCAA Division II All-American recognition, including two individual national champions: Senior Cassie Caswell, shot put and sophomore Emilee Iverson, high jump; and

WHEREAS, Pittsburg State had three Gorillas earn district and national academic honors, including College Sports Information Directors of America Academic All-American selections: Seniors Cassie Caswell and Hannah DeVries and junior Emilylyn Dearman; and

WHEREAS, Pittsburg State's 50-student team posted a cumulative 3.41 grade point average (GPA) during the Spring 2016 semester; and

WHEREAS, Pittsburg State had nine track and field athletes achieve a perfect 4.0 GPA during the Spring 2016 semester and five other athletes who earned Dean's Scholastic honors; and

WHEREAS, Pittsburg State head coach Russ Jewett was selected as the MIAA, Central Region and NCAA Division II Coach of the Year: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate and commend the Pittsburg State University Women's Outdoor Track and Field team; and

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

On emergency motion of Senator Hilderbrand **SR 1756** was adopted unanimously.

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

The House concurs in Senate amendments to **S Sub HB 2278**.

On motion of Vice President Longbine, the Senate recessed until the sound of the gavel.

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

#### **ORIGINAL MOTION**

Senator Schmidt 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: **HB 2407**, **HB 2409**.

#### **COMMITTEE OF THE WHOLE**

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

On motion of Senator Kerschen the following report was adopted:

**HB 2409** be amended by the adoption of the committee amendments, be further amended by motion of Hawk; on page 1, in line 20, after "(a)" by inserting "Except as provided in subsection (c),"; following line 29, by inserting:

"(c) The secretary of administration will approve contracts, or may waive application of this section on any contract with any state agency if the secretary determines that compliance is not practicable or in the best interest of the state."

Upon the showing of 5 hands a roll call vote was requested

On roll call, the vote was: Yeas 25; Nays 13; Present and Passing 1; Absent or Not Voting 1.

Yeas: Berger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, Longbine,

McGinn, Pettey, Rogers, V. Schmidt, Skubal, Sykes, Taylor.

Nays: Alley, Baumgardner, Billinger, Fitzgerald, Hilderbrand, Masterson, Olson, Petersen, Pilcher-Cook, Pyle, Suellentrop, Tyson, Wagle.

Present and Passing: Wilborn.

Absent or Not Voting: Lynn.

and the bill be passed as further amended

#### EXPLANATION OF VOTE

Madam President: The vote on this amendment was a clear choice between avoiding potential inconvenience of the education establishment and making a clear, unambiguous statement against anti-semitism. The Senate chose to avoid a possible inconvenience for the education establishment and against Israel. I am ashamed.—

STEVE FITZGERALD

Senators Olson, Pilcher-Cook and Suellentrop request the record to show they concur with the "Explanation of Vote" offered by Senator Fitzgerald on the amendment on **HB 2409**.

**HB 2407** be amended by the adoption of the committee amendments, be further amended by motion of Senator Billinger; on page 2, in line 17, by striking "75-3043a and", and **HB 2407** be passed as further amended.

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

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

#### MESSAGE FROM THE HOUSE

The House announced the appointment of Representative Highland to replace Representative Barker as chairperson of the conference committee on **HB 2313**. Representative Williams was appointed to replace Representative Barker as a conferee on the bill.

#### REPORT ON ENROLLED BILLS

**H Sub SB 42; SB 201** reported correctly enrolled, properly signed and presented to the Governor on June 02, 2017.

**SR 1753, SR 1754** reported correctly enrolled, properly signed and presented to the Secretary of the Senate on June 02, 2017.

#### TRIBUTES

The Committee on **Organization, Calendar and Rules** authorizes the following tributes for the week of May 22-26 and May 30-June 2, 2017:

Senator Bowers: commending Phillips County Health Systems on being named a Top 20 Critical Access Hospital, commending Smith Center Health and Rehab on receiving the 2017 Mission Health Community of the Year Award, congratulating Paige Robins on winning the state championship in prose interpretation, congratulating Diane McReynolds on being named Rooks County Health Center Volunteer of the Year, congratulating Jack and Kathie Crispin on receiving the 2017 KPA Advocacy Award for Excellence;

Senator Hardy: recognizing Jason Gage for his service to the City of Salina, recognizing the City of Salina on its 100 years of city management, congratulating Stratton Brown on winning his second consecutive tennis state championship, congratulating Tyler Ross on being named a Presidential Scholar; and

Senator Rogers: commending Barb Myers for her service to the Friends of the Wichita Pioneers at Highland Cemetery, commending St. Mary's Orthodox Christian Church for hosting the annual Mediterranean Festival, congratulating Keith Humphrey and Jet Airwerks on its 10<sup>th</sup> Anniversary.

On motion of Senator Denning, the Senate adjourned until 10:00 a.m., Saturday, June 3, 2017.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

