

Journal of the Senate

SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 13, 2015, 2:30 p.m.

The Senate was called to order by Vice President Jeff King.
The roll was called with 39 senators present.
Senator Ostmeyer was excused.

Invocation by Father Don Davidson:

Father in heaven, we pray this day for all those who have suffered violence in our neighborhoods, streets and the cities of the world. We pray for peace among all people, and we pray that you may open our minds to new and creative ways to solve problems rather than resorting to destruction. We pray for our law enforcement officers who do everything within their power to protect us. We pray also for the families who have been torn apart by violence, both the giving and the receiving. Bring to our eyes the light necessary to see your peace in our complex world and be with those who have committed themselves to the sharing and the living of that peace. We pray in the name of the God of Love. Amen

The Pledge of Allegiance was led by Vice President Jeff King.

INTRODUCTION

Vice President King introduced two new doormen, Oscar Eastman and Sean Dolton.

POINT OF PERSONAL PRIVILEGE

Senator Hensley rose on a point of personal privilege to recognize Joe Hafner who had served as a doorman in the Senate for over 30 years. Joe passed away in late December, 2014.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 11, AN ACT concerning regulated scrap metal; relating to the crime of theft; sentencing; evidence at preliminary examination; regulation of scrap metal dealers; unlawful acts; penalties; amending K.S.A. 2014 Supp. 21-5804, 21-5813, 21-6604, 50-6,109, 50-6,110, 50-6,111, 50-6,112a, 50-6,112b and 50-6,112c and repealing the existing sections; also repealing K.S.A. 2014 Supp. 21-6604c and 50-6,112, by Senators Petersen, King, McGinn and O'Donnell.

SB 12, AN ACT concerning crimes and punishment; relating to battery; amending

K.S.A. 2014 Supp. 21-5413 and repealing the existing section, by Committee on Judiciary.

SB 13, AN ACT concerning criminal history record information; definitions; amending K.S.A. 2014 Supp. 22-4701 and repealing the existing section, by Committee on Judiciary.

SB 14, AN ACT concerning the disposition of district court fines, penalties and forfeitures; relating to the criminal justice information system line fund; amending K.S.A. 2014 Supp. 74-7336 and repealing the existing section, by Committee on Judiciary.

SB 15, AN ACT concerning civil procedure; relating to dispositive motions; amending K.S.A. 2014 Supp. 60-256 and repealing the existing section, by Committee on Judiciary.

SB 16, AN ACT concerning insurance; relating to attorney fees in certain actions; amending K.S.A. 40-908 and repealing the existing section, by Committee on Judiciary.

SB 17, AN ACT concerning the judicial council; relating to membership; amending K.S.A. 20-2201 and repealing the existing section, by Committee on Judiciary.

SB 18, AN ACT enacting the police and citizen protection act; relating to use of body cameras by law enforcement officers, by Committee on Judiciary.

SB 19, AN ACT concerning administrative procedure; relating to the Kansas administrative procedure act; Kansas judicial review act; amending K.S.A. 77-502, 77-545, 77-546, 77-548 and 77-613 and K.S.A. 2014 Supp. 77-519, 77-521 and 77-531 and repealing the existing sections, by Committee on Judiciary.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Commerce: **SB 3**.

Corrections and Juvenile Justice: **SB 1**.

Education: **SB 2, SB 8**.

Ethics and Elections: **SB 10**.

Federal and State Affairs: **SB 6**.

Public Health and Welfare: **SB 9**.

Transportation: **SB 5**.

Ways and Means: **SB 4, SB 7**.

COMMUNICATIONS FROM STATE OFFICERS

OFFICE OF THE ATTORNEY GENERAL

January 12, 2015

Kansas Attorney General, Derek Schmidt, submitted the fiscal year 2014 annual report of the Abuse, Neglect and Exploitation Unit.

KANSAS DEPARTMENT OF CORRECTIONS

January 12, 2015

Secretary of Corrections, Ray Roberts, submitted the annual report of Crimes Committed by Sex Offenders While in Custody.

KANSAS BOARD OF PHARMACY
January 12, 2015

Executive Secretary, Debra Billingsly, submitted the annual report on Proposed Controlled Substances for Scheduling, Rescheduling or Deletion.

KANSAS ELECTRIC TRANSMISSION AUTHORITY
January 12, 2015

Chairman, Ernest Lehman, submitted the annual report of The Kansas Electric Transmission Authority (KETA).

Vice President King 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 **SCR 1601** a concurrent resolution relating to a committee to wait upon the Governor and advise him the 2015 session of the Legislature is duly organized and ready to receive communication. Representatives Dove, Hawkins and Wilson are appointed as House members of the committee.

Announcing adoption of **HR 6001**, 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 5001** 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: Reps. Roades, Concannon and Wolfe Moore
to escort the Lt. Governor: Reps. Jim Kelly, Schwartz and Houston
to escort the Supreme Court: Reps. Highland, Lunn and Carmichael
to escort the Senate: Reps. Corbet, Couture-Lovelady and Lusk

Upon reading of the House message, and on motion of Senator Bruce, an emergency was declared, the rules suspended and **HCR 5001** was adopted by voice vote.

The Vice President appointed Senators Masterson and Hawk to escort the Governor; Senators Pilcher-Cook and Haley to escort the Lieutenant Governor; and Senators Knox and Kelly to escort the Supreme Court.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Abrams and Arpke introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1704—

A RESOLUTION congratulating and commending
the members of the 2015 Kansas Teacher of the Year team.

WHEREAS, The Kansas state department of education sponsors the Kansas Teacher of the Year program which identifies, recognizes and utilizes representatives of excellent teaching in the elementary and secondary classrooms of the state. The mission of the program is to build and utilize a network of exemplary teachers who are leaders in the improvement of schools, student performance and the teaching profession; and

WHEREAS, Two teachers – one elementary and one secondary – in each of the state's four United States congressional districts were selected as finalists for recognition as Kansas Teacher of the Year; the Kansas Teacher of the Year being chosen from among the eight finalists. The Kansas Teacher of the Year is awarded the Hubbard Foundation Kansas Teacher of the Year Ambassadorship, which enables the person selected to devote significant time during the second semester to activities to support the mission of the program. The 2015 Kansas Teacher of the Year and finalists were honored at an awards banquet on November 22, 2014. All members received a cash award as well as mementos of the events; and

WHEREAS, The Kansas Teacher of the Year is nominated to represent Kansas in the National Teacher of the Year program, a project of the Council of Chief State School Officers in partnership with the Voya Foundation and People to People Ambassador Programs; and

WHEREAS, The 2015 Kansas Teacher of the Year is Shannon Ralph, Dodge City USD 443, and the regional finalists are Beau T. Bragg, Bonner Springs-Edwardsville USD 204; Abby M. Hedrick, Paola USD 368; Jennifer Hofferber, Liberal USD 480; Lisa Holt, Winfield USD 465; Jamie McDaniel, Paola USD 368; Dennis Munk, Haysville USD 261; and Kimberly Nelson, Bonner Springs-Edwardsville USD 204. Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the members of the 2015 Kansas Teacher of the Year team and wish Mrs. Ralph success in the national competition.

On emergency motion of Senator Abrams **SR 1704** was adopted unanimously.
The teachers were honored by a standing ovation.

On motion of Senator Bruce, the Senate adjourned until 2:30 p.m., Wednesday, January 14, 2015.

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

