

Journal of the Senate

FORTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 17, 2015, 2:30 p.m.

The Senate was called to order by President Susan Wagle.

The roll was called with 38 senators present.

Senators O'Donnell and Pettey were excused.

President Wagle introduced the guest Chaplin, Reverend Chris Halverson, who served as the Acting Chaplain of the United States Senate from 1992 to 1995. He is a guest of Senator Haley, and delivered the invocation:

Father in heaven, open our eyes to the presence of Your kingdom on earth as it is in heaven. Give us, we pray, a vision of Truth and Love working together in Your kingdom among us. Open our eyes to Truth. Cause it to drop in sight like a plumb line, from the peak of the dome to the center of the floor of this Capitol. Open our eyes to Love, the mark of Your kingdom, which embraces saints and sinners alike. As differing priorities, values and ways of governing clash in this chamber, we pray for eyes to see something greater than ourselves, working to bring us together. As those who serve here reach to the stars through difficulties, impress on their conscience the north star of justice and righteousness. And help them see loving kindness as the moderator of all their proceedings, no matter how strongly they differ. As Your Word declares, if we have faith such as to move mountains, or the gift of prophecy to understand all mysteries, or give all our money to the poor, even if we have all these things and are in the right, without love it is in vain and profits nothing! So we earnestly pray for a vision of Truth over falsehood and conviction of loving kindness without malice, that in spite of the circumstances and vicissitudes of life that have come before this body, something wonderful may come of it all. I close this prayer in the name of Jesus, because he is the one who taught me to pray. Amen

The Pledge of Allegiance was led by President Susan Wagle.

SPECIAL PRESENTATION

To commemorate St. Patrick's Day, former Senator Richard Gannon played *Dawning of the Day*, *Down by the Sulley Gardens* and *The Water is Wide* on the bagpipes. Senator Gannon served in the Senate from 1977 to 1988. His wife, Martha, was also present.

The Senate honored Senator Gannon with a standing ovation.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 288, AN ACT concerning motor vehicles; relating to commercial drivers' licenses; endorsements or restrictions; amending K.S.A. 2014 Supp. 8-2,135 and repealing the existing section, by Committee on Federal and State Affairs.

SB 289, AN ACT concerning the state health care benefits program; relating to pharmacy benefits managers; requirements and fiduciary duties; audit of the pharmacy benefits management contract, by Committee on Ways and Means.

SB 290, AN ACT concerning the Kansas code of military justice; relating to commanding officer's nonjudicial punishment; amending K.S.A. 48-2301 and repealing the existing section, by Committee on Ways and Means.

MESSAGE FROM THE GOVERNOR

March 10, 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

Secretary, Kansas Department of Health and Environment, Dr. Susan Mosier (R), Lawrence, pursuant to the authority vested in me by K.S.A. 75-5601 et seq., and effective upon the date of confirmation by the Senate, to serve at the pleasure of the governor, to succeed Dr. Robert Moser.

Superintendent, Kansas Highway Patrol, Major Mark Bruce (U), Silver Lake, pursuant to the authority vested in me by K.S.A. 74-2113 et seq., and effective upon the date of confirmation by the Senate, to serve at the pleasure of the governor, to succeed Colonel Ernest Garcia.

Commander, Kansas Air National Guard, Colonel Jay Selanders (R), Village of Loch Loyd, pursuant to the authority vested in me by K.S.A. 48-208 et seq., and effective upon the date of confirmation by the Senate, to serve at the pleasure of the governor, to succeed Bradley Link.

General Officer, Kansas Army National Guard, Colonel Anthony Mohatt (R), Sugar Grove, pursuant to the authority vested in me by K.S.A. 48-208, and effective upon the date of confirmation by the Senate, to serve at the pleasure of the governor, to succeed Robert Windham.

Member, Kansas State Banking Board, Casey Lair (R), Neodesha, pursuant to the authority vested in me by K.S.A. 74-3004 et seq., and effective upon the date of confirmation by the Senate, to serve a three year term, to expire March 15, 2018, to succeed James Needham.

Member, Kansas State Banking Board, Linda Wessel (D), Council Grove, pursuant to the authority vested in me by K.S.A. 74-3004 et seq., and effective upon the date of confirmation by the Senate, to serve a three year term, to expire March 15, 2018, to succeed herself.

Member, Kansas Public Employees Retirement Board of Trustees, Chris Long ®, Mission Hills, pursuant to the authority vested in me by K.S.A. 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 himself.

MESSAGE FROM THE HOUSE

The House concurs in Senate amendments to **HB 2053**.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **HB 2364** be amended on page 3, following line 12, by inserting:

"(i) The college shall not enter into any program agreements pursuant to the provisions of this section after July 1, 2026. All program agreements entered into prior to such date shall continue in full force and effect subject to the requirements of this section.";

And the bill be passed as amended.

Committee on **Assessment and Taxation** recommends **SB 270** be passed.

Committee on **Commerce** recommends **SB 276** be amended on page 5, in line 19, after "17-7929" by inserting "or 17-7934";

On page 8, in line 42, by striking "or" and inserting "of";

On page 19, in line 5, by striking "(d)" and inserting "(f)"; in line 41, by striking "(d)" and inserting "(f)";

On page 20, in line 6, by striking "(d)" and inserting "(f)"; in line 14, by striking "(d)" and inserting "(f)"; in line 20, by striking "(d)" and inserting "(f)"; in line 28, by striking the second "(d)" and inserting "(f)"; and the bill be passed as amended.

Also, **HB 2267** be passed.

Committee on **Federal and State Affairs** recommends **SB 278** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Also, Committee on **Federal and State Affairs** begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

Kansas Racing and Gaming Commission, Member: K.S.A. 74-8803

Laura McConwell, to fill a term expiring on January 15, 2019

Committee on **Financial Institutions and Insurance** recommends **HB 2066** be passed.

Also, **HB 2126** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Public Health and Welfare** recommends **HB 2043** be amended by substituting a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2043," as follows:

"Senate Substitute for HOUSE BILL NO. 2043

By Committee on Public Health and Welfare

"AN ACT concerning the secretaries for children and families and for aging and disability services; powers, duties and functions: amending K.S.A. 75-5308d, 75-5309, 75-5364, 76-157, 76-158 and 76-12a24 and K.S.A. 2014 Supp. 8-2,144, 8-1025, 21-5909, 36-502, 38-2006, 38-2212, 39-1702, 40-4702, 59-29a24, 65-689, 65-6233, 75-

7d01, 75-5321a, 75-53,105, 75-6524 and 75-7033 and repealing the existing sections."; And the substitute bill be passed.

Committee on **Transportation** recommends **SB 274** be passed.

Also, **HB 2094** be amended by substituting a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2094," as follows:

"Senate Substitute for HOUSE BILL NO. 2094

By Committee on Transportation

"AN ACT regulating traffic; concerning size limitations of certain vehicles, exceptions, forage cutter and custom harvester; use of safety belts, establishing the seat belt safety fund; amending K.S.A. 2014 Supp. 8-1904, 8-2504, 12-4120 and 74-7336 and repealing the existing sections.";

And the substitute bill be passed.

HB 2013 be amended on page 1, in line 16, by striking "their" and inserting "its"; and the bill be passed as amended.

HB 2103 be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Ways and Means** recommends **HB 2085** be passed.

On motion of Senator Bruce, the Senate adjourned until 2:30 p.m., Wednesday, March 18, 2015.

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

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