

Journal of the Senate

THIRTY- SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 1, 2006—2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

I don't know if March will go out like a lamb, but it's certainly not coming in like a lion. Some thermometers reached 80 degrees yesterday, and it's predicted to repeat today.

Don't get me wrong, O God,
I love a balmy day.
I'm from Lower Alabama
Which my father called "L.A."

And I'm sure that it's not necessary
For me to make it plain:
What we're really needing now
Is a good long soaking rain!

The farmers and their crops
Are suffering from the drought.
We are praying for the showers
Which will help them out.

Fires are spreading rapidly,
Homes are threatened by the flames.
Protect the people and belongings
As we call upon Your Name.

I believe that prayer is more
Than just taking a chance;
You know that I'm sincere, O God,
I'm thanking You in advance.

And I ask this in the Name of Jesus Christ,

AMEN

GUESTS

Senator Barnett introduced as guests Emporia State University President Kay Schallenkamp, Dr. Judith Calhoun and ESU Ambassadors, Rob Rogers, Tommie Edmiston and Gaytha Soderstrom. They were welcomed with a standing ovation.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 579, An act authorizing the state board of regents to convey certain real estate, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following resolution was referred to Committee as indicated:

Federal and State Affairs: **SR 1819**.

COMMUNICATIONS FROM STATE OFFICERS

KANSAS DEPARTMENT OF CORRECTIONS

February 24, 2006

Keven Pellant, Deputy Secretary of Community and Field Services, submitted the 2005 Annual Report for the Interstate Commission for Adult Offender Supervision.

The President announced the above report is on file in the office of the Secretary of the Senate and is available for review at any time.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2786**, **HB 2796**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2786, **HB 2796** were thereupon introduced and read by title.

FINAL ACTION ON CONSENT CALENDAR

SB 553 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, was considered on final action.

SB 553, An act authorizing the state historical society to convey property to Audubon of Kansas.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed.

REPORT ON ENGROSSED BILLS

SB 220, SB 305, SB 330, SB 337, SB 351, SB 355, SB 361, SB 365, SB 366, SB 375, SB 380, SB 403, SB 408, SB 414, SB 417, SB 419, SB 421, SB 431, SB 435, SB 451, SB 453, SB 458, SB 461, SB 462, SB 465, SB 469, SB 491, SB 505, SB 506, SB 508, SB 512, SB 515, SB 518, SB 522, SB 528, SB 536, SB 547, SB 551, SB 554, SB 558 reported correctly engrossed February 28, 2006.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SCR 1623** be amended on page I, in line 35, by striking "Christian" and inserting "religious"; and the concurrent resolution be adopted as amended.

COMMITTEE OF THE WHOLE

On motion of Senator D. 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 Huelskamp in the chair.

On motion of Senator Huelskamp the following report was adopted:

Recommended **SB 480**, **SB 577** be amended by adoption of the committee amendments, and the bills be passed as amended.

FINAL ACTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator D. Schmidt an emergency was declared by a 2/3 constitutional majority, and **SB 480, SB 577** were advanced to Final Action and roll call.

SB 480, An act concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson, Wysong.

The bill passed, as amended.

SB 577, An act concerning state officers and employees; relating to salaries, compensation and certain expense allowances; providing for certain step movement or base pay rate increases under the pay plan for the classified service under the Kansas civil service act and for certain base salary increases for the unclassified service for the fiscal year ending June 30, 2007; making and concerning appropriations for the fiscal year ending June 30, 2007; amending K.S.A. 40-102 and K.S.A. 2005 Supp. 75-3101, 75-3103, 75-3104, 75-3108, 75-3110 and 75-3111a and repealing the existing sections.

On roll call, the vote was: Yeas 36, Nays 4, Present and Passing 0, Absent or Not Voting 0.

Yeas: Allen, Apple, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Kelly, Lee, McGinn, Morris, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt D, Schmidt V, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wilson, Wysong.

Nays: Barnett, Journey, O'Connor, Wagle.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: I believe that state employees deserve a fair and adequate wage. However, I do not believe the state legislature should spend more money than the budget can withstand or that exceeds revenues. We are faced with a \$500 million school funding bill that will lead to deficit spending and tax increases for the people of Kansas.—JIM BARNETT

Senators Journey and O'Connor request the record to show they concur with the "Explanation of Vote" offered by Senator Barnett on **SB 577**.

MR. PRESIDENT: I vote yes on **SB 577**. It gives unclassified employees of the state a 2.5% cost of living adjustment and classified employees a 2.5% step increase in pay. This action is good for the State of Kansas and good for our working families.

When gas prices, utilities and other household expenses are high, we must give state employees help to compensate for their families needs. They work hard for the people of Kansas and deserve this pay increase. It is long overdue.

The step increase will reward dedicated, long-term state employees. We need these experienced workers to stick with us and continue their hard work. This increase is the least we can do.

This bill provides the same amount of money as proposed in the Governor's budget, but the step increase is given to every classified employee at the beginning of the year rather than on their anniversary date. This approach is more equitable.

Kansas state employees keep this state on its feet. Kansas needs to set an example for other employers in the private sector by how we treat our employees.—ANTHONY HENSLEY

MR. PRESIDENT: The 2006 Legislature is on a spending spree that can only result in deficit spending and a major tax increase in the next two years. I vote No on **SB 577** and all other spending measures until I see a plan the people of Kansas can afford, that balances our fragile budget without a tax increase—SUSAN WAGLE.

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Senators Barnett and Journey request the record to show they concur with the "Explanation of Vote" offered by Senator Wagle on **SB 577**.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Thursday, March 2, 2006.

HELEN MORELAND, CAROL PARRETT, BRENDA KLING, *Journal Clerks*.
PAT SAVILLE, *Secretary of the Senate*.

