

Journal of the Senate

TWENTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 13, 2019, 2:30 p.m.

The Senate was called to order by Vice President Jeff Longbine.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

Heavenly Father, the Negro National Baseball League began on February 13, 1920, in Kansas City, Missouri. And Lord, I come today reminded of that great Hall of Fame baseball pitcher, Satchel Paige, who played for the Kansas City Monarchs. I'm reminded not only of his wisdom in the game of baseball but also of his wisdom in the game of life. He said to those who would listen, "Don't pray when it rains if you don't pray when the sun shines."

Lord, we know that things will not always go as we'd like. We'll want the rain when the sun is shining and we'll want the sun when it's raining. We'll want constructive criticism from folks while also wanting their kudos.

Help us to echo the Apostle Paul's words in Philippians 4:11-13 where he said "I have learned to be content whatever the circumstances. I know what it is to be in need and I know what it is to have plenty. I have learned the secret of being content in any and every situation. I can do all this through Him Who gives me the strength."

So, Master, teach us to pray with thanksgiving, whether rain or shine, up or down, want or plenty, whether feeling good or feeling not so good. For You always know what we need and when we need it.

I come to you in the precious Name of Jesus, Amen!

The Pledge of Allegiance was led by Vice President Longbine.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 157, AN ACT concerning family law; relating to temporary parenting plans; amending K.S.A. 2018 Supp. 23-3212 and repealing the existing section, by Senators Hilderbrand, Alley, Berger, Doll, Faust-Goudeau, Francisco, Goddard, Haley, Holland, Longbine, Olson, Petersen, Skubal, Suellentrop, Taylor, Wagle and Wilborn.

SB 158, AN ACT designating the polka as the state dance, by Senator Miller.

SB 159, AN ACT concerning voter registration; relating to registration through division of motor vehicle license applications; amending K.S.A. 2018 Supp. 25-2352 and repealing the existing section, by Senator Faust-Goudeau.

SB 160, AN ACT concerning crimes, punishment and criminal procedure; relating to domestic violence calls; required notices; lethality assessment; amending K.S.A. 2018

Supp. 22-2307 and repealing the existing section, by Committee on Judiciary.

SB 161, AN ACT concerning domestic violence; relating to the definition of primary aggressor; Kansas criminal code; Kansas code of criminal procedure; protection from abuse act; amending K.S.A. 2018 Supp. 21-5111, 22-2307 and 60-3107 and repealing the existing sections, by Committee on Judiciary.

SB 162, AN ACT concerning children and minors; relating to foster care; requiring notification by a foster care case management contractor and the Kansas department for children and families of certain situations involving children, by Committee on Public Health and Welfare.

SB 163, AN ACT AN ACT concerning insurance; relating to health insurance plans; requiring coverage for contraceptives; amending K.S.A. 2018 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 164, AN ACT concerning alcoholic beverages; relating to licensure; specifying the effective date of licenses; amending K.S.A. 2018 Supp. 41-310 and 41-2629 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 165, AN ACT concerning health and healthcare; relating to the practice of podiatry; changing terminology and references related thereto; amending K.S.A. 40-3202, 48-1601, 65-2001, 65-2002, 65-2004, 65-2005, 65-2006, 65-2009, 65-2010, 65-2012, 65-2013, 65-2014, 65-2015, 65-2016, 65-2813, 65-7302, 65-7602 and 65-7605 and K.S.A. 2018 Supp. 21-5808, 44-508, 44-706 and 79-201a and repealing the existing sections, by Committee on Federal and State Affairs.

SB 166, AN ACT concerning children and minors; relating to the grandparents as caregivers act; age and income requirements; deeming children under the act as foster children; amending K.S.A. 2018 Supp. 38-145 and 38-147 and repealing the existing sections, by Committee on Judiciary.

SB 167, AN ACT concerning abortion; relating to medication abortions; notification requirements, by Senators Baumgardner, Alley, Berger, Billinger, Braun, Estes, Goddard, Hilderbrand, Kerschen, Longbine, Lynn, Masterson, Olson, Petersen, Pilcher-Cook, Pyle, Rucker, Suellentrop, Tyson, Wagle and Wilborn.

SB 168, AN ACT enacting the Kansas home inspectors professional competency and financial responsibility act; establishing the home inspectors license fee fund, by Committee on Commerce.

SB 169, AN ACT concerning the department of health and environment; relating to the water program management fee fund; deposit of certain moneys; operators of a water supply system or a wastewater treatment facility; amending K.S.A. 65-4513 and 65-4514 and repealing the existing sections, by Committee on Utilities.

SB 170, AN ACT concerning the Kansas department of health and environment; relating to the Kansas asbestos control program; fees and civil penalties; deposit in the air quality fee fund; amending K.S.A. 65-5309 and 65-5314 and repealing the existing sections, by Committee on Utilities.

SB 171, AN ACT concerning the department of health and environment; relating to public water supply systems; loan program requirements; installation or repair, lead levels; amending K.S.A. 65-163d, 65-163i, 65-170d and 65-171r and repealing the existing sections, by Committee on Utilities.

SB 172, AN ACT concerning workers compensation; relating to costs of treatment by an injured employee's healthcare provider; amending K.S.A. 2018 Supp. 44-510h and repealing the existing section, by Committee on Ways and Means.

SB 173, AN ACT concerning the disposition of state real property; authorizing the state board of regents on behalf of the university of Kansas to sell certain real property in Douglas county, by Committee on Ways and Means.

SB 174, AN ACT concerning income taxation; relating to Kansas adjusted gross income; subtraction modification exempting social security benefits; amending K.S.A. 2018 Supp. 79-32,117 and repealing the existing section, by Committee on Federal and State Affairs.

SB 175, AN ACT concerning public employee organizations; enacting the public employee right to choose act; amending K.S.A. 75-4324 and K.S.A. 2018 Supp. 75-4327 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 176, AN ACT concerning the department of commerce; relating to the disclosure of economic development incentive program data, tax credit programs and certain property tax exemptions; required database; amending K.S.A. 2017 Supp. 75-5133, as amended by section 37 of chapter 89 of the 2018 Session Laws of Kansas, and 79-3234, as amended by section 38 of chapter 89 of the 2018 Session Laws of Kansas, and repealing the existing sections, by Committee on Assessment and Taxation.

SB 177, AN ACT concerning taxation; relating to the state board of tax appeals; concerning appeal procedure and judicial review; amending K.S.A. 74-2426 and repealing the existing section, by Committee on Assessment and Taxation.

SB 178, AN ACT concerning sales taxation; relating to exemptions; nonprofit integrated community care organizations, definitions; amending K.S.A. 2018 Supp. 79-3602 and 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 179, AN ACT concerning income taxation; relating to modifications; increasing subtraction modification for social security income for married tax filers; amending K.S.A. 2018 Supp. 79-32,117 and repealing the existing section, by Committee on Assessment and Taxation.

SB 180, AN ACT enacting the Kansas buy American act, by Senators Hensley, Bollier, Faust-Goudeau, Haley, Hawk, Holland, Miller, Pettey, Sykes and Ware.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 152, SB 153.**

Assessment and Taxation: **SB 151.**

Education: **SB 156.**

Ethics, Elections and Local Government: **SB 149.**

Judiciary: **SB 150, SB 154.**

Ways and Means: **SB 155.**

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 19, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; presentence investigation report; amending K.S.A. 2018 Supp. 21-6813 and repealing the existing section, was considered on final action.

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

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll,

Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed.

SB 20, AN ACT concerning courts; relating to court fees and costs; judicial branch surcharge fund; amending K.S.A. 65-409 and K.S.A. 2018 Supp. 8-2107, 8-2110, 20-3021, 21-6614, 22-2410, 23-2510, 28-170, 28-172a, 28-177, 28-178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-729, 60-2001, 60-2203a, 61-2704 and 61-4001 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Petersen, Pettey, Rucker, Skubal, Suellentrop, Sykes, Taylor, Wagle, Ware, Wilborn.

Nays: Hilderbrand, Olson, Pilcher-Cook, Pyle, Tyson.

The bill passed, as amended.

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 McGinn in the chair.

On motion of Senator McGinn the following report was adopted:

SB 39 be passed.

SCR 1606 be adopted.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce** recommends **SB 27** 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 **Transportation** recommends **SB 17** be amended on page 1, in line 34, by striking all after "vehicle"; by striking all in lines 35 and 36; and the bill be passed as amended.

Also, recommends **SB 40**, **SB 41** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Ways and Means** recommends **SB 25** be amended on page 1, by striking all in lines 35 and 36;

On page 2, by striking all in lines 1 through 4; in line 6, by striking "its operating" and inserting "the social welfare";

On page 4, in line 32, by striking "5" and inserting "4";

And by renumbering sections accordingly; and the bill be passed as amended.

On motion of Senator Denning, the Senate adjourned until 2:30 p.m., Thursday, February 14, 2019.

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COREY CARNAHAN, *Secretary of the Senate.*

