

Journal of the Senate

FORTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 17, 2014, 2:30 p.m.

The Senate was called to order by Vice President Jeff King.
The roll was called with thirty-seven senators present.
Senators Faust-Goudeau, Fitzgerald, Haley were excused.
Invocation by Father Don Davidson:

Almighty God, in your providence you chose your servant Patrick to be the apostle of the Irish people, to bring those who were wandering in darkness and error to the true light and your knowledge: Grant us so to walk in that light that we may come at last to the light. Bless the people of Ireland, and their descendants, and bless our nation a place where many are one. In your Holy Name we pray. Amen

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

POINT OF PERSONAL PRIVILEGE

Senator Lynn rose on a Point of Personal Privilege to recognize members of the fifth grade Girl Scout troop from Ravenwood Elementary School, Olathe, Kansas. Introduced were Isabelle Davis, Erin Stenson, Heidi Savoy, Kaitlyn Savoy, and Lisa Allen, troop leader. Also introduced were Nicholas Stenson and Sam Harootunian. The senators honored them with applause.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 443, AN ACT concerning education; relating to capital outlay; making and concerning appropriations for the fiscal year ending June 30, 2015, for the department of education; amending K.S.A. 2013 Supp. 72-8814 and repealing the existing section, by Committee on Ways and Means.

SCR 1621—A PROPOSITION to amend article 11 of the constitution of the state of Kansas by adding a new section thereto, concerning a budget stabilization fund and a disaster relief fund in the state treasury, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Commerce: **Sub Sub HB 2721**.

Judiciary: **HB 2479, HB 2662**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2419; Sub HB 2541; HB 2578.**

Announcing passage of **SB 248, SB 284.**

Also, passage of **SB 40**, as amended by **H Sub SB 40.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2419; Sub HB 2541; HB 2578 were thereupon introduced and read by title.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Under the authority of the President, Vice President Jeff King referred **HB 2578** to the Committee on **Federal and State Affairs.**

CHANGE OF REFERENCE

An objection having been made to **HB 2595** appearing on the **Consent Calendar**, the President directed the bill be removed and placed on the Calendar under the heading of **General Orders.**

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Donovan the Senate nonconcurrred in the House amendments to **SB 265** and requested a conference committee be appointed.

The Vice President appointed Senators Donovan, Tyson and Holland as a conference committee on the part of the Senate.

On motion of Senator Donovan the Senate nonconcurrred in the House amendments to **SB 266** and requested a conference committee be appointed.

The Vice President appointed Senators Donovan, Tyson and Holland as a conference committee on the part of the Senate.

ORIGINAL MOTION

On motion of Senator Masterson, the Senate acceded to the request of the House for a conference on **S Sub HB 2338.**

The Vice President appointed Senators Masterson, King and Francisco as conferees on the part of the Senate.

REPORTS OF STANDING COMMITTEES

Committee on **Ethics and Elections** recommends **HB 2141** be amended as recommended by Senate Committee on Ethics, Elections and Local Government as reported in the Journal of the Senate on March 21, 2013, and the bill as printed as Senate Substitute For House Bill No. 2141 be further amended by substituting a new bill to be designated as "Senate Substitute for Senate Substitute for HOUSE BILL NO. 2141," as follows:

"Senate Substitute for Senate Substitute for HOUSE BILL NO. 2141"

By Committee on Ethics and Elections

"AN ACT concerning elections; relating to certain municipalities; amending K.S.A. 2-623, 12-344, 13-1220, 13-1221, 24-504, 25-209, 25-1115, 25-2006, 25-2007, 25-2010, 25-2014, 25-2017, 25-2018, 25-2022, 25-2023, 25-2107, 25-2109, 25-2113, 25-2115, 25-2120, 25-2502, 25-3901, 72-8003 and 72-8008 and K.S.A. 2013 Supp.

2-624, 12-363, 24-412, 24-414, 24-459, 24-506, 25-213, 25-611, 25-1122, 25-2020, 25-2102, 25-2108a, 25-2110, 25-2311, 25-3902 and 42-706 and repealing the existing sections; also repealing K.S.A. 12-1001, 12-1002, 12-1003, 12-1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-1005e, 12-1005f, 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l, 12-1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e, 12-1036f, 12-1036g, 12-1036h, 12-1037 and 12-1038.";

And the substitute bill be passed.

Committee on **Judiciary** recommends **SB 416; Sub HB 2442; HB 2445, HB 2489, HB 2501, HB 2502** be passed.

Also, **SB 259** be amended on page 2, in line 21, by striking the comma; in line 22, by striking "commencing October 1993"; in line 26, after "procedures." by inserting "Such report also shall include information summarizing the board's actions pursuant to subsection (l), including, but not limited to: (1) Each request for access that was denied, the purpose stated in the request and the reason such request was denied; and (2) each request for access that was granted, the purpose stated in the request and the reason such request was granted.";

Also on page 2, in line 40, by striking " The board may extract information from its records and enter"; by striking all in lines 41 and 42; in line 43, by striking "(2)"; also in line 43, by striking "or authorize disclosure of"; also in line 43, after "information" by inserting "extracted";

On page 3, in line 1, by striking "secured database" and inserting "board's records"; in line 6, by striking "complete address" and inserting "street number and street name"; in line 7, by striking "complete address" and inserting "street number and street name"; in line 9, after "only" by inserting "for the purpose of public health or education to"; by striking all in lines 10 through 12 and inserting:

"(i) An organization that has a federalwide assurance (FWA) for the protection of human subjects in good standing with the United States department of health and human services office for human research protections and that has provided documentation that an institutional review board designated in the FWA has reviewed the organization's research proposal; or

(ii) a governmental agency; and"; in line 15, by striking "(3)" and inserting "(2)"; and the bill be passed as amended.

HB 2447, as amended by House Committee, be amended on page 1, in line 9, by striking "as of" and inserting "on"; and the bill be passed as amended.

HB 2491, as amended by House Committee, be amended on page 1, in line 24, after "filing" by inserting ", briefing"; and the bill be passed as amended.

HB 2577, as amended by House Committee, be amended on page 1, in line 18, by striking "child's" and inserting "infant's"; in line 19, by striking "a child" and inserting "an infant"; in line 20, by striking "be required to"; in line 21, by striking "child" and inserting "infant"; in line 22, by striking "child" and inserting "infant"; in line 30, by striking "child" and inserting "infant";

On page 1, in the title, in line 2, by striking "a child" and inserting "an infant"; and the bill be passed as amended.

HB 2478 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 **Natural Resources** recommends **SB 410** be amended on page 1, in line 24, by striking all after the period; by striking all in lines 25 through 36;

On page 2, by striking all in lines 1 and 2; in line 3, by striking "determination" and inserting "With regard to a request for exemption from property tax pursuant to the provisions of K.S.A. 79-201g and 82a-409, and amendments thereto, not filed with the court of tax appeals by the county appraiser on or before the effective date of this act, if the county appraiser recommends the exemption request be granted, the exemption shall be provided in the amount recommended by the county appraiser and the county appraiser shall not file the request for exemption and recommendations of the county appraiser with the state court of tax appeals. The county clerk or county assessor shall annually make such adjustment in the taxes levied against the real property as the owner may be entitled to receive under the provisions of K.S.A. 79-201g, and amendments thereto, as recommended by the county appraiser, beginning with the first period, following the date of issue of the certificate of completion on which taxes are regularly levied, and during the years which the landowner is entitled to such adjustment";

Also on page 2, in line 4, by striking all after "exemption"; in line 5, by striking all before the comma; in line 6, by striking all after "fact"; by striking all in line 7; in line 8, by striking all before the period; in line 9, by striking the comma and inserting "and"; in line 10, by striking all after "thereto"; in line 11, by striking all before the second comma; in line 12, by striking all after the comma; in line 13, by striking all before the second "and"; in line 14, by striking the first comma and inserting "and"; also in line 14, by striking all after "appraiser"; in line 15, by striking all before "of"; and the bill be passed as amended.

Also, **HB 2551**, as amended by House Committee, be amended on page 1, in line 7, by striking the third "and" and inserting a comma; in line 8, after "65-3490" by inserting "and 75-5673";

On page 1, in the title in line 3, by striking "and" and inserting a comma; also in line 3, after "65-3490" by inserting "and 75-5673"; also in line 3, by striking "regulation of PCB disposal facilities" and inserting "department of health and environment"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 393** be amended on page 2, in line 18, after the period by inserting "An individual shall not qualify for restricted driving privileges pursuant to this section unless the following conditions are met: (i) The suspended license that expired was issued by the division of vehicles; (ii) the suspended license resulted from the individual's failure to comply with a traffic citation pursuant to subsection (b)(1); (iii) the traffic citation that resulted in the failure to comply pursuant to subsection (b)(1) was issued in this state; and (iv) the individual has not previously received a stayed suspension as a result of a driving while suspended conviction."; and the bill be passed as amended.

Also, **Sub HB 2424** be amended on page 3, in line 22, after "Sharp" by inserting "memorial"; in line 25, after "Sharp" by inserting "memorial";

On page 1, in the title, in line 5, after "Sharp" by inserting "memorial"; and the bill be passed as amended.

Sub HB 2451 be amended on page 1, in line 17, by striking the semicolon; by striking all in lines 18 through 20; in line 21, by striking all before the period; in line 22,

by striking "(5)" and inserting "(4)";

On page 15, in line 22, after "after" by inserting "January 1, 2015, and"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 423** be passed.

REPORT ON ENROLLED BILLS

SR 1796, SR 1797 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 17, 2014.

On motion of Senator Bruce, the Senate adjourned until 2:30 p.m., Tuesday, March 18, 2014.

ROSE MARIE GLATT, CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

