

Journal of the Senate

TWENTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 10, 2015, 2:30 p.m.

The Senate was called to order by Vice President Jeff King.

The roll was called with 40 senators present.

The Vice President introduced the guest Chaplain, Reverend Canon George Wiley, Episcopal Diocese of Kansas, who delivered the invocation, adapted from The Book of Common Prayer of the Episcopal Church.

O Lord our Governor, you have given us this good state of Kansas for our heritage: give to the Senators of this chamber, and those who assist them, the courage of King David, the wisdom of King Solomon, and the patience of Job as they provide for the needs of all our people and fulfill their obligations under the Constitution of the State of Kansas. Give them pardon when they make mistakes and hope when problems seem intractable. Grant that they and all the people of Kansas may have grace to maintain our liberties in righteousness and peace; through Jesus Christ our Lord, who lives and reigns with you and the the Holy Spirit, one God, for ever and ever. Amen

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 173, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Korean war, operation desert storm, operation Iraqi freedom and operation enduring freedom license plates; amending K.S.A. 2014 Supp. 8-1,141 and 8-1,147 and repealing the existing sections, by Committee on Transportation.

SB 174, AN ACT concerning motor vehicles; relating to license plates; fees; license plate manufacturing fee fund; amending K.S.A. 2014 Supp. 8-147 and repealing the existing section, by Committee on Transportation.

SB 175, AN ACT concerning postsecondary education; relating to the exercise of religious beliefs by student associations, by Committee on Ways and Means.

SB 176, AN ACT concerning school districts; relating to the professional negotiations act; relating to limits on negotiations with professional employees' organizations; amending K.S.A. 72-5420, 72-5422, 72-5423, 72-5426, 72-5428a and 72-5430 and K.S.A. 2014 Supp. 45-229, 72-5413, 72-5430a, 72-5432 and 77-618 and repealing the existing sections; also repealing K.S.A. 72-5424, 72-5428, 72-5429 and 72-5431 and K.S.A. 2014 Supp. 72-5427, by Committee on Ways and Means.

SB 177, AN ACT concerning elections; relating to citizenship requirements for voter registration; amending K.S.A. 2014 Supp. 25-2309 and repealing the existing section, by Senator Hensley.

SB 178, AN ACT concerning property taxation; relating to valuation of real property; amending K.S.A. 2014 Supp. 79-1476 and repealing the existing section, by Committee on Ways and Means.

SB 179, AN ACT concerning public employees; relating to the public employer-employee relations act; amending K.S.A. 75-4321, 75-4322, 75-4324, 75-4326, 75-4328, 75-4329, 75-4335 and 75-4337 and K.S.A. 2014 Supp. 75-4327, 75-4330, 75-4332, 75-4333 and 75-4334 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 75-4323 and 75-5713, by Committee on Ways and Means.

SB 180, AN ACT concerning health maintenance organizations; relating to the privilege fees; creating the medical assistance fee fund; amending K.S.A. 2014 Supp. 40-3213 and repealing the existing section, by Committee on Public Health and Welfare.

SB 181, AN ACT concerning restrictions of patient access to prescription-only drugs under medicaid; amending K.S.A. 2014 Supp. 39-7,120 and repealing the existing section, by Committee on Public Health and Welfare.

SB 182, AN ACT concerning the department of health and environment; relating to the inspector general's employee status; amending K.S.A. 2014 Supp. 75-7427 and repealing the existing section, by Committee on Public Health and Welfare.

SB 183, AN ACT concerning debtors of the state; relating to debts owed to courts; amending K.S.A. 75-6209 and K.S.A. 2014 Supp. 75-719, 75-6202, 75-6204 and 75-6210 and repealing the existing sections, by Committee on Judiciary.

SB 184, AN ACT concerning the code of civil procedure; relating to judgments; dormancy; amending K.S.A. 2014 Supp. 60-2403 and repealing the existing section, by Committee on Judiciary.

SB 185, AN ACT concerning sexually violent predators; relating to reimbursement for costs incurred by counties, by Committee on Judiciary.

SB 186, AN ACT regulating traffic; relating to transportation network companies, transportation network company services, regulation, by Committee on Assessment and Taxation.

SB 187, AN ACT concerning rural opportunity zones; extending the student loan payment program and income tax credit; amending K.S.A. 2014 Supp. 74-50,223 and 79-32,267 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 188, AN ACT concerning school districts; relating to the Kansas uniform financial accounting and reporting act; relating to publication requirements; amending K.S.A. 2014 Supp. 72-8254 and repealing the existing section, by Committee on Assessment and Taxation.

SB 189, AN ACT concerning the Kansas veterinary practice act; relating to licensure; providing for an institutional license to practice veterinary medicine; amending K.S.A. 47-815, 47-817 and 47-829 and K.S.A. 2014 Supp. 47-822 and 47-830 and repealing the existing sections, by Committee on Agriculture.

SB 190, AN ACT concerning boating safety education; relating to sailboats; approved course of instruction; amending K.S.A. 32-1139 and repealing the existing section, by Committee on Commerce.

SB 191, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal discharge of a firearm; sentencing; amending K.S.A. 2014 Supp. 21-6308 and 21-6804 and repealing the existing sections, by Committee on Judiciary.

SB 192, AN ACT concerning gaming; amending K.S.A. 74-8836 and K.S.A. 2014 Supp. 74-8744, 74-8746, 74-8747 and 74-8751 and repealing the existing sections, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Ethics and Elections: **SB 171**.

Financial Institutions and Insurance: **SB 172**.

Utilities: **SB 170**.

MESSAGES FROM THE GOVERNOR

H Sub SB 4 approved on February 10, 2015.

COMMUNICATIONS FROM STATE OFFICERS

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

February 10, 2015

Policy Analyst and Legislative Liaison, Brianna Landon, submitted the Senator Stan Clark Pregnancy Maintenance Initiative Report.

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

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2101**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2101 was thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Kerschen and Schmidt introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1709—

A RESOLUTION designating February 10, 2015,
as Multiple Sclerosis Awareness Day at the Capitol.

WHEREAS, Multiple sclerosis (MS) interrupts the flow of information between the brain and the body and stops people from moving. It is an unpredictable, often disabling disease of the central nervous system, and every hour someone is newly diagnosed in the United States; and

WHEREAS, The Mid America Chapter of the National Multiple Sclerosis Society reports that MS affects an estimated 2.5 million people worldwide, 400,000 nationwide and over 4,600 Kansans; and

WHEREAS, Often first diagnosed in individuals aged 20 to 50, attacking them in the prime of their lives, MS is the most common neurological disease leading to disability in young adults; and

WHEREAS, The symptoms of MS range from numbness and tingling to blindness and paralysis. The progress, severity and specific symptoms of MS in any one person cannot yet be predicted, but advances in research and treatment are moving us closer to a world free of MS; and

WHEREAS, The Mid America Chapter of the National MS Society has been committed to mobilize people throughout Kansas who want to assist those afflicted with MS; and

WHEREAS, "Walk MS" events are scheduled this spring in Kansas City, Hays, Hiawatha, Hutchinson, Lawrence, Manhattan, Neodesha, Salina, Topeka and Wichita; and

WHEREAS, On February 10, 2015, the National MS Society will sponsor MS Awareness Day at the Kansas State Capitol; and

WHEREAS, The mission of the National Multiple Sclerosis Society is to mobilize people and resources to drive research for a cure and to address the challenges of everyone affected by MS: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we declare February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol to raise awareness for this disease that has no known cause and no known cure. We recognize the importance of moving closer to a world free of multiple sclerosis and express appreciation to the Mid America Chapter of the National MS Society for its work.

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Kerschen.

On emergency motion of Senator Kerschen **SR 1709** was adopted unanimously.

Guests introduced included Dr. Sharon Lynch, Brent Kirkhart, Courtney Eiterich and Marcillene Dover.

The Senate honored the guests with a standing ovation.

Senator Kelly introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1710—

A RESOLUTION congratulating and commending
the Rossville High School football team.

WHEREAS, The Rossville High School football team is the 2014 Class 3A undefeated State Champion; and

WHEREAS, The Bulldogs, coached by head coach Derick Hammes, finished the season with a record of 14 wins and 0 losses and won its first ever state championship with a 21-14 victory over Scott Community High School. The road to 2014 3A state championship was filled with some of Kansas' best small class football programs. In the regular season, Rossville defended and won its second consecutive Mid East League championship with an unblemished record. The playoff march was equally as challenging as Rossville beat three tradition-rich programs in reaching only the 2nd state championship appearance in school history. In consecutive weeks, Rossville defeated programs from Centralia, Pittsburg and Silver Lake with coaches who have recorded multiple state championships. The victory over Silver Lake was the first post-season

victory over Rossville's arch rival in school history. The state championship game marked the battle of unbeaten teams as the Bulldawgs played four-time state champion Scott City. Facing its first deficit of the season, Rossville scored 14 unanswered points in the final 8 minutes of the game to claim the victory; and

WHEREAS, The team's success was due to tremendous commitment and included several remarkable achievements. The championship team consisted of team captains Nick Reesor, Corbin Horak, Terrence Sowers, Thatcher Horak and Tucker Horak. Team members included: Trevor Balch, Paul Borcharding, Nick Brummer, Alex Cavanaugh, Kole Daveren, Ty Dick, Nathan Dohrman, Wyatt Dyche, Eric Ebert, Jared Ebert, T.J. Fiedler, Derek Gentry, Bryce Gfeller, Malcolm Gillum, Dawson Hammes, Lee Hester, Sheldon Hulbert, Chayne Hulbert, Holden Hurla, Kody Hurla, Luke Hurtig, Jerrett Ingwerson, Zach Jensen, Jordan Johnston, Caleb Lovejoy, Isaiah Luellen, Isaac Luellen, Gabe Marney, Matheus Matumoto, Reed Miller, Riley Miller, Jared Morris, Caiden Musick, Kyle Parr, Austin Ramey, Christian Roduner, Clayton Rubio, Tyler Sage, Lake Schultz-Pruner, Jack Steckel, Paul Steinke, Joao Uezono and Ethan Woodcock. The team was managed by Brianna Ebert, Riley Faulk, Chris Johnston, Remmington Wehner and Cody York. The team was coached by Dan Schneider, Jeremy Stephenson, Ian Peters and Brad Anderson; and

WHEREAS, Head coach Derick Hammes was recently named the Topeka Capital Journal State Coach of the Year, Sports in Kansas All Class Coach of the Year and the Kansas Football Coaches Association 3A Coach of the Year: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the Rossville Bulldawg football team for winning the 2014 Class 3A state football championship.

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Mr. Toby McCullough, Principal of Rossville High School.

On emergency motion of Senator Kelly **SR 1710** was adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 24** be passed.

Also, **SB 6** be amended on page 1, in line 34, after "persons." by inserting "Local law enforcement officers and agencies may charge a fee as reimbursement for expenses incurred in taking and processing fingerprints under this section.";

On page 2, in line 17, after "person." by inserting "Local law enforcement officers and agencies may charge a fee as reimbursement for expenses incurred in taking and processing fingerprints under this section."; and the bill be passed as amended.

SB 61 be amended on page 3, in line 32, after "tab" by inserting "ticket";

On page 4, in line 22, after "act." by inserting "No person under 18 years of age is eligible to claim a prize under the Kansas lottery act.";

On page 7, by striking all in lines 7 through 14; and the bill be passed as amended.

SB 62 be amended on page 5, in line 10, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 34** be passed.

Also, **SB 39** be amended on page 21, in line 6, after "families," by inserting "Kansas department for aging and disability services,"; and the bill be passed as amended.

SB 105 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 5** be amended on page 1, in line 12, after "highway" by inserting ", except that such signs shall not be placed until the secretary has received sufficient moneys from gifts and donations to reimburse the secretary for the cost of placing such signs and an additional 50% of the initial cost to defray future maintenance or replacement costs of such signs. The secretary of transportation may accept and administer gifts and donations to aid in obtaining and installing suitable signs"; and the bill be passed as amended.

Also, recommends **SB 72** be amended on page 1, by striking all in lines 22 through 26; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 162** be passed.

Also, **SB 7** be amended on page 1, in line 10, by striking "an" and inserting "any state agency or any"; in line 11, after the semicolon by inserting "and"; in line 12, by striking all after "(2)"; by striking all in lines 13 through 15; in line 16, by striking "(3)"; in line 17, by striking "an" and inserting "any state agency or any"; in line 18, by striking the semicolon; in line 19, by striking "and"; by striking all in line 20; in line 21, by striking all before the period; and the bill be passed as amended.

SB 161 be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

REPORT ON ENROLLED BILLS

H Sub SB 4 reported correctly enrolled, properly signed and presented to the Governor on February 10, 2015.

On motion of Senator Bruce, the Senate adjourned until 2:30 p.m., Wednesday, February 11, 2015.

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

