

Journal of the Senate

FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 14, 2019, 2:00 p.m.

In accordance with the provisions of the Constitution of the State of Kansas and by virtue of her office as President of the Senate, Senator Susan Wagle declared the 2019 Senate to be in session.

President Wagle welcomed the Reverend Cecil T. Washington, who will again serve as the Senate Chaplain. Reverend Washington delivered the following invocation:

Heavenly Father, we're here for a new legislative session. We're here to serve Your people. And in doing so, we look to You. We look to You for strength. We look to You for wisdom. We look to You for guidance. We look to You for resources.

Lord, for all of that to come to fruition, we must look to You. In Proverbs 19:21, You said there are many plans in a man's heart, but it is Your counsel...Your direction...Your guiding principles of life, that will stand and endure.

You said in Psalm 33:10-12, that if our plans or strategies are merely of human origin they would crumble and come to ruin. But if our plans are actual extensions of Yours, they'll stand forever.

So, Lord, that's the desire... that the Hand of God be seen in everything we do.

Again, Lord, we ask for wisdom, strength, guidance and resources. So, when all is said and done, it will be declared that it was You and Your presence that prevailed in our midst.

I come to You, in the blessed Name of Jesus, the Christ, Amen and Amen.

The Pledge of Allegiance was led by President Wagle.

INTRODUCTION OF GUESTS

President Wagle introduced Dr. Jeremy Presley, president of the Kansas Academy of Family Physicians. Dr. Presley has practiced in Dodge City since 2010 as a partner at Family Practice Associates of Western Kansas. The Academy sponsors the Doctor of the Day program in the Statehouse. President Wagle thanked Dr. Presley and the Academy for their support of the program and for their outstanding assistance during session.

COMMUNICATIONS FROM STATE OFFICERS

STATE OF KANSAS
SECRETARY OF STATE

I, KRIS KOBACH, Secretary of State of the State of Kansas, do hereby certify that the following persons were elected members of the Senate of the State of Kansas for the

remainder of the unexpired four-year term ending on the second Monday of January, A.D. 2021.

District 13

Richard Hilderbrand

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 3rd day of December in the Year of Our Lord two thousand and eighteen.

KRIS KOBACH
Secretary of State

ERIC K. RUCKER
Assistant Secretary of State

OATH OF OFFICE

President Wagle requested Senator Denning escort Senators Kevin Braun, Richard Hilderbrand, Vic Miller, Eric Rucker and Mary Ware to the front of the Senate. The President introduced the Honorable Marla Luckert, Justice, Supreme Court of Kansas, who administered the Oath of Office.

OATH OF OFFICE STATE OF KANSAS, COUNTY OF SHAWNEE, ss:

We do solemnly swear, or affirm, that I will support the Constitution of the United States, and the Constitution of the State of Kansas, and will faithfully discharge the duties of the office of the State Senator. So help me God.

Subscribed and Sworn to, or Affirmed, before me this 14th day of January, 2019.

MARLA J. LUCKERT
Justice of the Kansas Supreme Court

President Wagle introduced Nicole Turner, who will be the Senate reader.

The roll was called with 40 senators present.

District

1. Dennis Pyle
2. Marci Francisco
3. Tom Holland
4. David Haley
5. Kevin Braun
6. Pat Pettey
7. Barbara Bollier
8. Jim Denning
9. Julia Lynn
10. Mary Pilcher-Cook
11. John Skubal
12. Caryn Tyson
13. Richard Hilderbrand
14. Bruce Givens
15. Dan Goddard

District

21. Dinah H. Sykes
22. Tom Hawk
23. Rob Olson
24. Randall R. Hardy
25. Mary Ware
26. Dan Kerschen
27. Gene Suellentrop
28. Mike Petersen
29. Oletha Faust-Goudeau
30. Susan Wagle
31. Carolyn McGinn
32. Larry W. Alley
33. Mary Jo Taylor
34. Ed Berger
35. Rick Wilborn

- | | |
|---------------------|------------------------------|
| 16. Ty Masterson | 36. Elaine S. Bowers |
| 17. Jeff Longbine | 37. Molly Baumgardner |
| 18. Vic Miller | 38. Bud Estes |
| 19. Anthony Hensley | 39. John Doll |
| 20. Eric Rucker | 40. Richard (Rick) Billinger |

CAUCUS REPORT

MAJORITY PARTY CAUCUS

January 14, 2019

The members of the Senate Majority Party have caucused and selected the following party officer:

Assistant Majority Leader, Senator Mike Petersen

JIM DENNING
Chairperson

MINORITY PARTY CAUCUS

December 10, 2018

The members and members-elect of the minority party of the Senate have met and caucused as required by K.S.A. 46-142, and have selected the following caucus officers:

Assistant Democratic Leader, Oletha Faust-Goudeau; Democratic Whip, Pat Pettey. The other officers remain the same: Democratic Leader, Anthony Hensley; Caucus Chairman, Tom Hawk; Agenda Chairwoman, Marci Francisco.

TOM HAWK
Chairperson

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Wagle, Denning and Hensley introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1701—

By Senators Wagle, Denning and Hensley

A RESOLUTION relating to the organization of the Senate.

Be it resolved by the Senate of the State of Kansas: That the Secretary of the Senate notify the House of Representatives that the Senate is organized with the following officers:

Susan Wagle, president,
Jeff Longbine, vice-president,
Jim Denning, majority leader,
Anthony Hensley, minority leader,
Corey Carnahan, secretary,
Charles (Nick) Nicolay, sergeant at arms,
and awaits the pleasure of the House of Representatives.

On emergency motion of Senator Denning **SR 1701** was adopted unanimously.

Senators Wagle, Denning and Hensley introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1702—

By Senators Wagle, Denning and Hensley

A RESOLUTION relating to assignment of seats of the Senate.

Be it resolved by the Senate of the State of Kansas: The members of the 2019 regular session shall occupy the same seats assigned pursuant to 2017 Senate Resolution No. 1702 with the following exceptions: Braun 16, Bollier 38, Goddard 4, Hardy 19, Hilderbrand 12, Masterson 24, Miller 37, Pettey 6, Pilcher-Cook 35, Rucker 3, Suellentrop 27, Sykes 5 and Ware 7.

On emergency motion of Senator Denning **SR 1702** was adopted unanimously.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 1, AN ACT concerning school district transportation funding; eliminating state highway fund transfers; requiring state general fund moneys to fund school district transportation weightings; making and concerning appropriations for the fiscal year ending June 30, 2019, for the department of education and the department of transportation, by Senator Denning.

SB 2, AN ACT establishing the federal medical assistance percentage stabilization fund; limiting transfers from such fund, specified uses, by Senator Denning.

SB 3, AN ACT concerning elections; relating to election commissioners; amending K.S.A. 19-3419 and repealing the existing section, by Senator Hensley.

SB 4, AN ACT concerning elections; relating to determinations of certain objections with respect to nominations or candidacies; establishing the Kansas objections board; amending K.S.A. 2018 Supp. 25-308 and repealing the existing section, by Senator Hensley.

SB 5, AN ACT enacting the Kansas reinvestment act, by Senators Faust-Goudeau and Ware.

SB 6, AN ACT concerning the Kansas department for children and families; relating to performance-based contracting, by Senator Faust-Goudeau.

SB 7, AN ACT concerning school boards; relating to timing of elections of officers and certain other matters; amending K.S.A. 72-1073, 72-1133 and 72-1138 and repealing the existing sections, by Senator Hawk.

SB 8, AN ACT concerning the purchase of firearms; establishing a three-day waiting period, by Senator Faust-Goudeau.

SB 9, AN ACT making and concerning appropriations for the fiscal year ending June 30, 2019, for the Kansas public employees retirement system; authorizing certain transfers from the state general fund to the Kansas public employees retirement fund, by Senators Baumgardner, Alley, Billinger, Braun, Denning, Estes, Goddard, Hilderbrand, Kerschen, Lynn, Masterson, Olson, Petersen, Pilcher-Cook, Rucker, Suellentrop, Tyson and Wilborn.

SB 10, AN ACT concerning health and healthcare; relating to home and community-based services; eliminating the client obligation for persons receiving services, by

Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight.

SB 11, AN ACT concerning the Kansas dental board; relating to the practice of dental therapy; practice of dental hygiene; licensure of dental therapists; amending K.S.A. 65-1421, 65-1424, 65-1431, 65-1434, 65-1436, 65-1441, 65-1447, 65-1449, 65-1456, 65-1460, 65-1462, 65-1469, 65-4915, 65-4921, 65-5912, 65-7304, 74-1405 and 74-1406 and K.S.A. 2018 Supp. 75-2935 and 75-6102 and repealing the existing sections, by Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight.

SB 12, AN ACT concerning public assistance; relating to administration by the Kansas department for children and families; eligibility requirements and limitations; amending K.S.A. 2018 Supp. 39-702, 39-709 and 39-719b and repealing the existing sections, by Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight.

SB 13, AN ACT concerning taxation; relating to income tax, Kansas itemized deduction, expensing deduction, credit for certain purchases of goods and services for qualified vendors; rural opportunity zones, Cowley and Crawford counties; sales and compensating use tax, authority for countywide retailers, exemptions for sales of certain coins or bullion and purchases by midland care connection, inc.; property tax, cities and counties, approval of budgets; motor-fuel law, definitions, special fuels; amending K.S.A. 74-50,222 and K.S.A. 2018 Supp. 12-187, 12-189, 79-2925c, 79-32,120, 79-32,143a, 79-3401 and 79-3606 and repealing the existing sections, by Senators Tyson, Alley, Baumgardner, Estes, Goddard, Hilderbrand, Lynn, Masterson, Olson, Petersen, Suellentrop and Wilborn.

SB 14, AN ACT concerning evidence based juvenile programs; making and concerning appropriations for the fiscal year ending June 30, 2019, for various agencies, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

SB 15, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; definition of service-connected; amending K.S.A. 74-4952 and repealing the existing section, by Committee on Joint Committee on Pensions, Investments, and Benefits.

SCR 1601 A PROPOSITION to amend article 11 of the constitution of the state of Kansas by adding a new section thereto, concerning the state highway fund in the state treasury, by Senator Hilderbrand.

A PROPOSITION to amend article 11 of the constitution of the state of Kansas by adding a new section thereto, concerning the state highway fund in the state treasury.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 11 of the constitution of the state of Kansas is hereby amended by adding a new section thereto to read as follows:

"§ 14. State Highway Fund. (a) On and after July 1, 2021, moneys shall be appropriated, expended or transferred from the state highway fund that is

established and maintained in the state treasury only as follows:

- (1) To cities on the state highway system for transportation projects;
 - (2) for the construction, improvement, reconstruction and maintenance of the state highway system;
 - (3) for improvements in transportation programs to aid elderly persons, persons with disabilities and the general public;
 - (4) for any purpose specified pursuant to a comprehensive transportation program;
 - (5) for the support and maintenance of the department of transportation;
 - (6) for the expenses of administering the motor vehicle registration and drivers' license laws; and
 - (7) for the payment of losses to department of transportation employees authorized pursuant to law.
- (b) Under no circumstances shall moneys be transferred from the state highway fund or appropriated or expended from the state highway fund for any purpose not provided for in this section.
- (c) The legislature may enact laws to carry out the purposes of this section."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. The purpose of this amendment is to prevent transfers and limit expenditures from the state highway fund to only those items related to transportation set forth in the amendment.

"A vote for this amendment would provide that moneys credited to the state highway fund would only be used for those purposes set forth in the amendment as prescribed by law.

"A vote against this amendment would make no changes in current law concerning the state's finances."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate, and two-thirds of the members elected (or appointed) and qualified to the House of Representatives shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in the year 2020 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

The following concurrent resolution was introduced and read by title:

The following concurrent resolution was introduced and read by title:

Senators Wagle, Denning and Hensley introduced the following concurrent resolution which was read in and adopted by voice vote:

SENATE CONCURRENT RESOLUTION No. SCR 1602—

A CONCURRENT RESOLUTION relating to a committee to inform the governor that the two houses of the legislature are duly organized and ready to receive communications.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the governor, and inform the governor that the two houses of the legislature are duly organized and are ready to receive any communications the governor may have to present.

SENATE CONCURRENT RESOLUTION No. SCR 1603—

By Senators Longbine, Wagle, Denning and Hensley

A CONCURRENT RESOLUTION adopting joint rules for the Senate and House of Representatives for the 2019-2020 biennium.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the following joint rules shall be the joint rules of the Senate and House of Representatives for the 2019-2020 biennium.

JOINT RULES OF THE
SENATE AND HOUSE OF REPRESENTATIVES
2019-2020

Joint rule 1. Joint rules; application and date of expiration; adoption, amendment, suspension and revocation. (a) *Joint rules; expiration, adoption, amendment, suspension and revocation; vote required.* Joint rules are adopted under the authority of section 8 of article 2 of the Constitution of the State of Kansas and shall govern matters made subject thereto except when otherwise specifically provided by joint rule. Joint rules shall expire at the conclusion of the terms of representatives. Joint rules shall be adopted, amended, suspended and revoked by concurrent resolution of the two houses of the legislature. Concurrent resolutions adopting joint rules shall receive the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house.

(b) *Amendment, suspension or revocation of joint rules; previous notice; vote required.* After one day's previous notice, joint rules may be amended, suspended or revoked by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house. Upon the filing of such notice in either house, a message shall be sent to the other house advising of the filing of such notice and the reading of the message shall constitute notice to the members of such house. If such previous notice is not given, the affirmative vote of $\frac{2}{3}$ of the members then elected (or appointed) and qualified in each house shall be required for the amendment, suspension or revocation of a joint rule.

(c) *Amendment, suspension or revocation of joint rules at commencement of legislative session; vote required; conditions.* Notwithstanding any provision of this rule to the contrary, no notice shall be required for the adoption of a concurrent resolution amending, suspending or revoking any one or more joint rules at the commencement of a legislative session, and adoption of any such concurrent resolution shall require only the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house, subject to the following conditions: (1) The concurrent resolution is sponsored by the speaker or the president; and (2) either: (a) A copy thereof is mailed to each member of the legislature by deposit in the United States

mails not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence; or (b) in lieu of mailing, copies of the concurrent resolution are made available to members on the first day of the legislative session and final action is taken on a subsequent legislative day.

Joint rule 2. Joint sessions. (a) *Joint session called by concurrent resolution; vote required; time, place and subject matter.* A joint session of the senate and house of representatives may be called by concurrent resolution adopted by the affirmative vote of not less than a majority of the members elected (or appointed) and qualified in each house of the legislature or as may otherwise be prescribed by law. Any such resolution shall fix the time and place of the joint session, and the subject matter to be considered at the joint session. Joint sessions shall consider only such matters as are prescribed by law or by the concurrent resolution calling such joint session.

(b) *Presiding officer at joint sessions; record of joint session; rules applicable.* The speaker of the house of representatives shall preside at all joint sessions of the senate and house of representatives, and the clerk of the house of representatives shall keep a record of the proceedings thereof and shall enter the record of each such session in the journal of the house of representatives. The rules of the house of representatives and the joint rules of the two houses, insofar as the same may be applicable shall be the rules for joint sessions of the two houses.

(c) *Votes in joint session; taking; requirements.* All votes in a joint session shall be taken by yeas and nays, and in taking the same it shall be the duty of the secretary of the senate first to call the names of the members of the senate, and after which the clerk of the house of representatives shall in like manner call the names of the members of the house. Each member of the senate and the house of representatives present shall be required to vote on all matters considered in joint session, unless excused by a vote of a majority of the members of both houses present.

Joint rule 3. Conference committee procedure. (a) *Action by house of origin of bill or concurrent resolution amended by other house.* When a bill or concurrent resolution is returned to the house of origin with amendments by the other house, the house of origin may: (1) Concur in such amendments; (2) refuse to concur in such amendments; or (3) refuse to concur in such amendments and request a conference on the bill or concurrent resolution.

(b) *Concurrence by house of origin; concurrence prior to taking action on conference committee report by other house; final action; effect of failure of motion to concur.* The house of origin of any bill or concurrent resolution may concur in any amendments made by the other house, except that if the bill or concurrent resolution has been referred to a conference committee such action may only be taken prior to the taking of final action upon the conference committee report upon such bill or concurrent resolution by the other house. A vote in the house of origin of any bill or concurrent resolution on a motion to concur in amendments to such bill or concurrent resolution by the other house shall be considered action on the final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has been appointed and action has not been taken upon the report of such committee by the other house and such motion fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and the motion to concur may be renewed but not on the same legislative day. If the motion to concur is

upon amendments to a bill or concurrent resolution for which a conference committee has not been appointed and such motion fails, the bill or concurrent resolution shall be deemed to be killed.

(c) *Motion to nonconcur; when considered final action; effect of adoption of motion.* A vote in the house of origin of any bill or concurrent resolution on a motion to nonconcur or to refuse to concur in amendments to such bill or concurrent resolution by the other house which is not coupled with a request for the appointment of a conference committee shall be considered action on final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal, and the bill or concurrent resolution shall be deemed killed on the adoption thereof.

(d) *House of origin refusal to concur or nonconcur; request for conference; procedure.* When a bill or concurrent resolution is returned by either house to the house of origin with amendments, and the house of origin refuses to concur or to nonconcur therein, a conference may be requested by a majority vote of the members present and voting. Such request shall be transmitted to the other house by message which shall include the names of the conferees on the part of the requesting house. Upon receipt of any such message, the receiving house may, in like manner, approve such conference, and shall thereupon notify the requesting house by message stating the names of its conferees.

(e) *Membership; appointment; chairperson; house of origin of substitute or materially changed bill or concurrent resolution; meetings of conference committee.* Each conference committee shall consist of three members of the senate and three members of the house of representatives, unless otherwise fixed by agreement of the president of the senate and speaker of the house. Senate members shall be appointed by the president of the senate and house members shall be appointed by the speaker of the house of representatives. The president or the speaker may replace any conferee previously appointed by such person. Not fewer than one member appointed from each house shall be a member of the minority political party of such house except when such representation for such house is waived by the minority leader of such house. In all cases, the first-named member of the house of origin of the bill or concurrent resolution assigned to the committee shall be chairperson of the conference committee. The house of origin of a substitute bill or substitute concurrent resolution shall be the house in which the bill or concurrent resolution in its original form was introduced. The chairperson of a conference committee on a bill or concurrent resolution the subject matter of which has been ruled to be materially changed shall be a member of the house which amended the bill or concurrent resolution to materially change the subject matter. Each conference committee shall meet on the call of its chairperson. All meetings of conference committees shall be open to the public and no meeting shall be adjourned to another time or place in order to subvert such policy.

(f) *Conference committee reports; matters which may be included; report not subject to amendment; house which acts first on report; copies of reports; reports considered under any order of business.* Only subject matters which are or have been included in the bill or concurrent resolution in conference or in bills or concurrent resolutions which have been passed or adopted in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution except in any appropriations bill there may be included a proviso relating to any such item of appropriation. Subject to any

limitations imposed under the constitution of the state of Kansas, no more than a total of four additional bills or concurrent resolutions or parts of bills or concurrent resolutions in conference or bills or concurrent resolutions or parts of bills or concurrent resolutions which have passed in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution, except that reports of conference committees on any taxation bill are not subject to the limitation contained in this provision. A conference committee report shall not be subject to amendment. The original signed conference committee report shall be submitted to and acted upon first by the house other than the house of origin of the bill or concurrent resolution. Except when a conference committee report is an agree to disagree coupled with a request that a new conference committee be appointed or is a recommendation to accede to or recede from all amendments of the second house, electronic and paper copies of the report shall be made available to all members of the house considering the report not later than 30 minutes before the time of its consideration, except that if the report is more than six pages in length no paper copies will be required to be distributed to individual members provided that at least 10 paper copies of the report are made available to members at the clerk's or secretary's desk at the front of the respective house. By written notice, the majority leader may direct the clerk or secretary to increase from six pages to some greater number of pages the size of conference committee reports that need not be distributed by paper copies to individual members pursuant to this rule. The affirmative vote of $\frac{2}{3}$ of the members present in the house at the time of consideration of the report shall be sufficient to dispense with distribution of copies of the conference committee report to all members of that house. Reports of conference committees may be received and considered under any order of business.

(g) *Signatures required on conference committee reports.* All initial conference committee reports other than an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by all of the conferees. All initial conference committee reports which are an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by a majority of the conferees appointed in each house. If a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is not adopted, a subsequent conference committee report shall be signed by all conferees unless a subsequent conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is adopted, in which case a conference committee report subsequent to the adoption of such report shall be signed by a majority of the conferees appointed in each house. All other conference committee reports shall be signed by a majority of the conferees appointed in each house.

(h) *Vote to adopt conference committee report final action; effect of failure of motion to adopt conference committee report.* The vote to adopt the report of a conference committee, other than a report of failure to agree coupled with a recommendation for appointment of a new conference committee, shall be considered final action on the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion fails, the bill or concurrent resolution shall be deemed to be killed. If the motion on a conference committee report which is an agreement to disagree coupled with a request that a new conference

committee be appointed fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and remains in conference.

(i) *Report of conference committee unable to agree; effect of failure to request new conference committee; effect of failure of motion to adopt report requesting new conference committee.* If a conference committee upon any bill or concurrent resolution is unable to agree, it shall report that fact to both houses. Such report may request that a new conference committee be appointed thereon. If the committee so reports but fails to request the appointment of a new conference committee thereon, the bill or concurrent resolution shall be deemed to have been killed upon the adoption by either house of such report. If the motion to adopt a report requesting the appointment of a new conference committee fails, the bill or concurrent resolution shall be deemed to be killed.

(j) *Bills or concurrent resolutions under consideration by conference committees and reports thereof; carryover from odd-numbered to even-numbered year.* Bills or concurrent resolutions under consideration by a conference committee, or a report of which has been filed but no action taken thereon in either house, at the time of adjournment of a regular session of the legislature held in an odd-numbered year shall remain alive during the interim and may be considered by the committee and legislature as the case may be at the regular session held in the following even-numbered year.

Joint rule 4. Deadlines for introduction and consideration of bills. The senate and house of representatives shall observe the following schedule of deadlines in making requests for drafting and in the introduction and consideration of bills.

(a) *Bill request deadline for individual members.* Except for bills introduced pursuant to (i) of this rule, no request to draft bills, except those made by committees, through their respective chairpersons, shall be made to, or accepted by, the office of the revisor of statutes after the hour of 5:00 p.m. on February 4, 2019, during the 2019 regular session and on February 3, 2020, during the 2020 regular session.

(b) *Bill introduction deadline for individual members.* Except as provided in (i) of this rule, no bill sponsored by a member or members shall be introduced in either house of the legislature after the hour of adjournment on February 13, 2019, during the 2019 regular session and on February 12, 2020, during the 2020 regular session. Such deadline for the introduction of bills by individual members may be changed to an earlier date in either house at any time by resolution duly adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in such house.

(c) *Bill request deadline for certain committees.* Except for bills to be introduced pursuant to (i) of this rule, no committee except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall make a request to the office of the revisor of statutes for any bill to be drafted for sponsorship by such committee after the hour of 5:00 p.m. on February 11, 2019, during the 2019 regular session and on February 10, 2020, during the 2020 regular session.

(d) *Bill introduction deadline for certain committees.* Except as provided in (i) of this rule, no bill sponsored by any committee of either house of the legislature, except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the

committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be introduced in either house after the hour of adjournment on February 15, 2019, during the 2019 regular session and on February 14, 2020, during the 2020 regular session.

(e) *House of origin bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered in the house in which such bill originated after the hour of adjournment on February 28, 2019, during the 2019 regular session and on February 27, 2020, during the 2020 regular session.

(f) *Second house bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered by either house, not the house of origin of such bill, after the hour of adjournment on March 27, 2019, during the 2019 regular session and March 25, 2020, during the 2020 regular session.

(g) *Exceptions to limitation of (d), (e) and (f); procedure.* Specific exceptions to the limitations prescribed in subsections (d), (e) and (f) may be made in either house by resolution adopted by the affirmative vote of not less than a majority of the members of such house then elected (or appointed) and qualified.

(h) *Deadline which falls on day neither house in session; effect.* In the event that any deadline prescribed in this rule falls on a day that neither house of the legislature is in session, such deadline shall be observed on the next following day that either house is in session.

(i) *Bills introduced in odd-numbered years after deadlines; effect.* Bills may be introduced by members and committees in regular sessions occurring in an odd-numbered year after the times prescribed in (b) and (d) of this rule, but there shall be no final action thereon by either house during the session when introduced. Such bills shall be held over for consideration at the next succeeding regular session held in an even-numbered year.

(j) *Modification of schedule of deadlines for introduction and consideration of bills; procedure.* In any regular session a concurrent resolution may be adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house setting forth a different schedule of deadlines for introduction and consideration of bills for that session and the provisions of such concurrent resolution shall apply to such session notwithstanding provisions of this rule to the contrary.

(k) *Bill consideration deadline; exceptions.* No bills shall be considered by the Legislature after April 5, 2019, during the 2019 regular session and after April 3, 2020, during the 2020 regular session except bills vetoed by the governor, the omnibus appropriation act and the omnibus reconciliation spending limit bill provided for under K.S.A. 75-6702, and amendments thereto. This subsection (k) may be suspended for the consideration of a specific bill or bills not otherwise exempt under this subsection by

the affirmative vote of a majority of the members then elected (or appointed) and qualified in the house in which the bill is to be considered.

Joint rule 5. Closure of meetings to consider matters relating to security. Any standing committee of the house of representatives, any standing committee of the senate, the legislative coordinating council, any joint committee of both houses of the legislature, any special or select committee of the house of representatives or the senate, the house of representatives in session, the senate in session or a joint session of the house of representatives and the senate may meet in closed, executive session for the purpose of receiving information and considering matters relating to the security of state officers or employees, or both, or the security of buildings and property under the ownership or control of the state of Kansas.

Joint rule 6. Floor amendments to bills making appropriations. (a) Unless by majority consent to correct an error in drafting, no amendment from the floor in either house of the legislature to increase the amount of expenditures that would be authorized in a provision of an appropriations bill shall be in order unless the amendment contains a provision reducing, by a like or greater amount, expenditures that would be authorized in another provision of such appropriations bill. Notwithstanding any rule in either house of the legislature, those portions of a motion to amend a bill as described in this rule shall be indivisible.

(b) The provisions of subsection (a) shall not apply if the ending balance in the state general fund for the ensuing fiscal year is equal to 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year based on the most recent budget profile of the Kansas legislative research department.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The President referred **SCR 1603** to the Calendar under the heading of General Orders.

MESSAGES FROM THE GOVERNOR

February 9, 2018

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.

JEFF COLYER, M.D.
Governor

Administrator, Department of Credit Unions, Jerel Wright (R), Meriden, pursuant to the authority vested in me by KSA 17-2233 et seq., and effective upon the date of confirmation by the Senate, to serve a four year term, to expire December 31, 2022, to succeed herself.

March 15, 2018

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.

JEFF COLYER, M.D.
Governor

State Librarian, Kansas State Library, Eric Norris (R), Hays, pursuant to the authority vested in me by KSA 75-2535, and effective upon the date of confirmation by the Senate, to serve at the pleasure of the Governor, to succeed Interim State Librarian, Cindy Roupe.

April 16, 2018

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.

JEFF COLYER, M.D.
Governor

Public Member, University of Kansas Hospital Authority, Michael Copeland (R), Olathe, pursuant to the authority vested in me by KSA 76-3304 et seq., and effective upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2019, to succeed Sharon Lindenbaum.

June 1, 2018

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.

JEFF COLYER, M.D.
Governor

Public Member, University of Kansas Hospital Authority, Jack Newman, Jr. (R), Leawood, pursuant to the authority vested in me by KSA 76-3304 et seq., and effective upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2020, to succeed himself.

June 4, 2018

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.

JEFF COLYER, M.D.
Governor

Member, Employment Security Board of Review, Ryann Waller (D), Lawrence, pursuant to the authority vested in me by KSA 44-709, and effective upon the date of

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confirmation by the Senate, to serve a four year term, to expire March 15, 2022, to succeed herself.

Member, Kansas State Banking Board, Casey Lair (R), Neodesha, pursuant to the authority vested in me by KSA 74-3004 et seq., and effective upon the date of confirmation by the Senate, to serve a three year term, to expire March 15, 2021, to succeed himself.

July 11, 2018

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.

JEFF COLYER, M.D.
Governor

Member, State Civil Service Board, Carroll Macke (D), Kansas City, pursuant to the authority vested in me by KSA 75-2929(a), and effective upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2022, to succeed himself.

Member, Human Rights Commission, Harold Schorn, Jr. (D), Newton, pursuant to the authority vested in me by KSA 44-1003 et seq., and effective upon the date of confirmation by the Senate, to serve a four year term, to expire January 15, 2022, to succeed himself.

July 26, 2018

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.

JEFF COLYER, M.D.
Governor

Public Member, University of Kansas Hospital Authority, Dr. Donna Thomas (R), Mission Hills, pursuant to the authority vested in me by KSA 76-3304 et seq., and effective upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2021, to succeed Charles Sunderland.

September 12, 2018

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.

JEFF COLYER, M.D.
Governor

Public Member, University of Kansas Hospital Authority, Gregory Graves (R), Stilwell, pursuant to the authority vested in me by KSA 76-3304 et seq., and effective

upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2019, to succeed himself.

October 16, 2018

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.

JEFF COLYER, M.D.
Governor

Regents, Kansas Board of Regents, William Feuerborn (D), Garnett, pursuant to the authority vested in me by KSA 74-3202(a) and effective upon the date of confirmation by the Senate, to serve a four year term, to expire June 30, 2022, to succeed himself.

Regents, Kansas Board of Regents, Mark Hutton (R), Andover, pursuant to the authority vested in me by KSA 74-3202(a) and effective upon the date of confirmation by the Senate, to serve a four year term, to expire June 30, 2022, to succeed Zoe Newton.

Regents, Kansas Board of Regents, Allen Schmidt (D), Hays, pursuant to the authority vested in me by KSA 74-3202(a) and effective upon the date of confirmation by the Senate, to serve a four year term, to expire June 30, 2022, to succeed Joseph Bain.

November 20, 2018

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.

JEFF COLYER, M.D.
Governor

Public Member, University of Kansas Hospital Authority, Derel Wynn (D), Kansas City, pursuant to the authority vested in me by KSA 74-3304 et seq., and effective upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2021, to succeed himself.

Public Member, State Civil Service Board, Raymond Melugin (R), Wichita, pursuant to the authority vested in me by KSA 75-2929a et seq., and effective upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2022, to succeed himself.

November 29, 2018

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.

JEFF COLYER, M.D.
Governor

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Public Member, Pooled Money Investment Board, Steven Bowser (D), Holton, pursuant to the authority vested in me by KSA 74-4221 et seq., and effective upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2022, to succeed a vacant term.

December 13, 2018

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.

JEFF COLYER, M.D.
Governor

Public Member, University of Kansas Hospital Authority, David Dillon (R), Mission Hills, pursuant to the authority vested in me by KSA 76-3304 et seq., and effective upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2021, to succeed himself.

COMMUNICATIONS FROM STATE OFFICERS

January 11, 2018

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Attorney General of the State of Kansas, pursuant to law.

DEREK SCHMIDT
Kansas Attorney General

Medicaid Inspector General, Sarah E. Fertig, pursuant to the authority vested in me by KSA 75-7427(b)(2)(A), effective upon the date of confirmation by the Senate, to serve a term expiring January 15, 2021.

September 24, 2018

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Attorney General of the State of Kansas, pursuant to law.

DEREK SCHMIDT
Kansas Attorney General

Crime Victims Compensation Board, Richard Samamiego, pursuant to the authority vested in me by KSA 74-7303 et seq., effective upon the date of confirmation by the Senate, to serve a four year term, to fill the unexpired term of Suzanne Valdez to expire March 15, 2020. This letter only serves as a clarification that Mr. Samamiego will serve as chair once he is appointed to the Board.

COMMUNICATIONS FROM STATE OFFICERS

January 14, 2019

The Honorable Susan Wagle
 President, Kansas Senate
 State Capitol
 Topeka, Kansas 66612

Dear President Wagle:

During the 2018 Interim, I received the reports and communications listed below. This listing will appear in the January 14, 2019 Senate Journal.

From James Hubbard, the annual report of the Johnson County Education Research Triangle.

From Scott W. Miller, Director, the annual report of the Pooled Money Investment Board.

From Kansas Department of Education, information relating to school safety and security.

From Attorney General Derek Schmidt, the FY 2018 annual report of the Abuse, Neglect and Exploitation Unit.

From Joseph House, Executive Director, Board of Emergency Medical Services, the annual report on civil fines issued and and investigative subpoenas issued.

From the Office of Governor Jeff Colyer: Executive Order 18-13 through 19-01. Executive Directive 18-486, 18-487, and 18-489 authorizing personnel transactions. Executive Directive 18-488 and 18-491 through 18-498 authorizing the expenditure of federal funds. Executive Directive 18-490 authorizing the transfer of funds between State General Fund Budget Units.

Sincerely,

Corey Carnahan
Secretary of the Senate

REPORTS OF STANDING COMMITTEES

Your Committee on **Confirmation Oversight** begs leave to submit the following report:

The following appointments were referred to and considered by the committee and your committee recommends that the Senate approves and consent to such appointment:

By the Attorney General:

Inspector General, Office of Inspector General:

Sarah Fertig, to serve Term ends January 15, 2021.

Member - 2, Kansas Crime Victims Compensation Board:

Richard Samaniego, to serve Term ends March 15, 2020.

By the Governor:

Librarian, State Librarian:

Eric Norris, to serve At the pleasure of the governor.

Administrator, Department of Credit Unions:

Jerel Wright, to serve Term ends December 31, 2022.

Member - 9, State Banking Board:

Casey Lair, to serve Term ends March 15, 2021.

Committee on Confirmation Oversight

Member - 5, University of Kansas Hospital Authority:

Michael Copeland, to serve Term ends March 15, 2019.

Member - 2, State Civil Service Board:

Carroll Macke, to serve Term ends March 15, 2022.

Member - 3, Kansas Human Rights Commission:

Harold Schorn, to serve Term ends January 15, 2022.

Member - 2, Kansas Employment Security Board of Review:

Ryann Waller, to serve Term ends March 15, 2022.

Member - 10, University of Kansas Hospital Authority:

Jack Newman, to serve Term ends March 15, 2020.

Committee on Confirmation Oversight

Member - 8, University of Kansas Hospital Authority:

Donna Thomas, to serve Term ends March 15, 2021.

Member - 4, University of Kansas Hospital Authority:

Greg Graves, to serve Term ends March 15, 2019.

Member - 8, State Board of Regents:

William Feuerborn, to serve Term ends June 30, 2022.

Committee on Confirmation Oversight

Member - 5, State Board of Regents:

Mark Hutton, to serve Term ends June 30, 2022.

Member - 6, State Board of Regents:

Allen Schmidt, to serve Term ends June 30, 2022.

Member - 13, University of Kansas Hospital Authority:

Deryl Wynn, to serve Term ends March 15, 2021.

Member - 4, State Civil Service Board:

Raymond Melugin, to serve Term ends March 15, 2022.

Member - 3, Pooled Money Investment Board:

Steven Bowser, to serve Term ends March 15, 2022.

Committee on Confirmation Oversight

Member - 11, University of Kansas Hospital Authority:

David Dillon, to serve Term ends March 15, 2021.

On motion of Senator Denning, the Senate adjourned until 2:30 p.m., Tuesday, January 15, 2019.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

