

Journal of the Senate

SIXTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 2, 2016, 2:30 p.m.

The Senate was called to order by President Susan Wagle.
The roll was called with 40 senators present.
Invocation by Reverend Cecil Washington, Jr.:

Heavenly Father, there's a secret, we need the answer to. The Apostle Paul alluded to it, in Philippians 4:12-13. When speaking from experience, he said he had learned this secret; how to be in abundance...well-off and also how to be in need...to be hard up. Lord, only You can give us the answer to the secret of knowing both. No matter which way the pendulum has swung at any given moment in life, if You would help us know the secret, then we could thoughtfully identify...even empathetically enter into either realm of existence, so as to understand the unique needs of the wealthy and how to harmonize that with the unique needs of the poor. One of the secrets to producing and loving a good cake is to know the various ingredients and learn to adequately blend them. One of the secrets to producing and loving a good social order is to know the various components and learn to adequately blend them. Lord help us, in the Senate...in the House...in our homes...in our work places...in all that we do, learn the various constituents and the secret of how to blend them. Lord, You said love seeks to understand and Paul said he'd learned the secret of how to do that. He said it was by Your power...Your gracious, loving power. Reveal to us...uncover for each of us, the secret of impartial love. The kind of love for our fellowman, that regardless of status, is unprejudiced and can only come from You. In the name of Him who loved us to death, Jesus, the Christ, Amen

The Pledge of Allegiance was led by President Wagle.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 393, AN ACT concerning the the Kansas family law code; relating to child custody, residency and parenting time; consideration of domestic abuse; amending K.S.A. 2015 Supp. 23-3201 and 23-3203 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 394, AN ACT concerning children and families; enacting the supporting families act; relating to temporary care for children, by Committee on Public Health and Welfare.

SB 395, AN ACT concerning the legislature; relating to regular sessions; legislators' compensation; amending K.S.A. 46-137e, 46-157 and 75-3212 and K.S.A. 2015 Supp.

46-137a and repealing the existing sections, by Committee on Judiciary.

SB 396, AN ACT enacting the Kansas zero-based budget law; relating to zero-based budget review of state agencies, by Committee on Judiciary.

SENATE CONCURRENT RESOLUTION NO. 1608

By Committee on Transportation

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, 2017, 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 amendment.

(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 2016 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.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Corrections and Juvenile Justice: **SB 391, SB 392.**

Financial Institutions and Insurance: **SB 390.**

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2387** be amended on page 1, in line 8, by striking "2014" and inserting "2015";

On page 2, in line 35, by striking "2014" and inserting "2015";

On page 3, in line 33, by striking "2013" and inserting "2015"; also in line 33, by striking all after "65-6112"; in line 34, by striking all before "is";

On page 6, in line 9, by striking "2014" and inserting "2015";

On page 9, in line 1, by striking "2014" and inserting "2015";

On page 11, in line 23, by striking "2014" and inserting "2015";

On page 13, in line 1, by striking "2014" and inserting "2015";

On page 14, in line 29, by striking "2014" and inserting "2015";

On page 15, in line 26, by striking "2014" and inserting "2015"; in line 39, by striking "2014" and inserting "2015";

On page 17, in line 13, by striking all after "Sec. 11."; in line 14, by striking all before "K.S.A."; also in line 14, by striking the second "2014" and inserting "2015"; in line 15, after the second comma by inserting "65-6112,";

On page 1, in the title, in line 1, by striking all after "amending"; by striking all in line 2; in line 3, by striking all before "K.S.A."; also in line 3, by striking "2014" and inserting "2015"; also in line 3, after "65-6111," by inserting "65-6112,"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 99** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL NO. 99," as follows:

"Substitute for SENATE BILL NO. 99

By Committee on Transportation

"AN ACT concerning the uniform act regulating traffic; relating to height and length of vehicles and loads; exceptions to maximums; amending K.S.A. 8-1905 and K.S.A. 2015 Supp. 8-1904 and repealing the existing sections.";

And the substitute bill be passed.

On motion of Senator Bruce, the Senate adjourned until 2:30 p.m., Wednesday, February 3, 2016.

FEBRUARY 2, 2016

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

