

Journal of the Senate

FIFTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 28, 2017, 10:00 a.m.

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

The roll was called with 39 senators present.

Senator Petersen was excused.

Invocation by Reverend Cecil T. Washington:

Dear Lord, You've been very good to us. We thank You that, in Your divine providence, You've seen fit to give us another day to serve in these halls.

Another day, another work week and almost another month.

There are many who started this journey years ago and have given much of themselves in service to Your people.

Some have moved on to other things, while some You have been called into their after-life.

But we want to thank You for those that are still here and still in service today. Thank You for the longevity and allegiance of those like Senator Hensley, and for the 20 plus years of Senator Haley and for the first female President and her endurance, Susan Wagle. Thank You Lord for all our senators.

But, not only the senators, thanks for all those that are supporting and protecting their work.

We thank You that even though differences of opinion may arise, whether among members of the same party or with those on the other side, we can look to You to bring about harmony in spite of differences.

Lastly, Lord, please bless, and thank You for the citizens of this great State.

I offer this prayer in the precious Name of Jesus, Amen and Amen.

The Pledge of Allegiance was led by Vice President.

POINT OF PERSONAL PRIVILEGE

Senator Tyson rose on a Point of Personal Privilege to share the following:

My dedicated colleagues, my record in the House and Senate for the past seven years reflects how seriously I take my commitment to you and my constituents. Yesterday, I left the Capitol to attend a funeral service for someone very special to me. I have never missed a roll call vote in the Senate until yesterday and want to take this opportunity to thank my good colleagues for their support and understanding during this difficult loss.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Commerce: **HB 2182**.

Transportation: **Sub HB 2194**.

Utilities: **HB 2273**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

SENATE RESOLUTION No. 1733—

A RESOLUTION commemorating Bethany College's 135 years of educational service to the City of Lindsborg and to the entire state of Kansas.

WHEREAS, Swedish immigrants, inspired by their commitment to educate those without access to education, established Bethany College in 1881 and started a long tradition of quality education in Kansas; and

WHEREAS, Bethany College is affiliated with the Evangelical Lutheran Church in America; and

WHEREAS, Bethany College is located in Lindsborg, Kansas, the Fine Arts and Crafts Capital of Kansas, and offers students the opportunity to live and study in one of Kansas' most distinctive communities. Lindsborg abounds with artist studios, art galleries, craft shops, import gift shops and other attractions, such as the Birger Sandzén Memorial Gallery, located on the Bethany campus, the Lester Raymer Red Barn Studio, and the McPherson County Old Mill Museum and historical complex; and

WHEREAS, Bethany College's cultural impact in the area includes the longest-running presentation of Handel's "Messiah" in the United States, which has run for 136 consecutive years, and being the home of Bethany Oratorio Society, which consists of more than 320 members from communities across Central Kansas. Its wide selection of theatrical offerings, gallery art exhibitions, and lectures, which include the annual Pearson Distinguished Professor of Swedish Studies lecture series, all add to the cultural fabric of the Smoky Valley; and

WHEREAS, Bethany College is home to Presser Hall Auditorium, which was built in 1928 and is recognized as one of the finest music facilities in the United States. Today, Presser Hall serves as the mainstage for the Bethany Oratorio Society and many other college and community cultural productions. It also houses the Thomson-Mingenback Concert Organ, one of the largest pipe organs in the central United States, which has more than 4,000 pipes that range in size from 8 inches to 32 feet; and

WHEREAS, There are more than 4,500 Bethany College alumni who live in Kansas, including more than 1,300 who reside in McPherson and Saline counties. Bethany College alumni are successful in many areas. They include 610 alumni who serve as teachers, coaches or administrators in Kansas schools, 74 who serve as doctors, dentists, veterinarians and pharmacists in Kansas, and hundreds of business leaders throughout Kansas; and

WHEREAS, Bethany alumni, serving Kansas as successful professionals, who love God and love people include: Terry Holdren, CEO/General Counsel of the Kansas Farm Bureau and recently appointed governor's task force member; Sarah Schiltz, the

youngest female partner in the history of MarksNelson in Kansas City; Matt Allen, city manager of Garden City; Collin Carlson, a Salina South High School teacher who was awarded the Horizon Teacher of the Year award in 2015; Art Newcomer, a retired Kansas education administrator and athletic director; Dr. Keir Swisher, director of emergency medicine at Salina Regional Health Center; and Dr. Justin Klaassen, a trauma surgeon in Salina; and

WHEREAS, Bethany alumni business leaders include Ron Paulseen, owner of Paulseen Financial Group, Wichita; Ross and Grant Tidemann, real estate brokers with J.P. Weigand & Sons, Inc., Wichita; agri-leaders Vance and Louise Ehmke, Healy; Ed and Nelson Newcomer, owners of the D.H. Pace Company's Overhead Door Group, Olathe; and Mark Houghton, owner of Central Plastics, Inc., McPherson; and

WHEREAS, Bethany alumni also serve as elected officials in Kansas and include Susan Concannon, Beloit, a member of the Kansas House of Representatives representing the 107th District; and

WHEREAS, Bethany College contributes to the economic well-being of Central Kansas by adding more than \$15 million annually to the regional economy through more than 700 students from 38 states and 22 countries, more than 100 full-time faculty and staff, and nearly 70 part-time faculty and staff; and

WHEREAS, The mission of Bethany College is to educate, develop and challenge individuals to seek truth and excellence as they lead lives of faith, learning and service. All those associated with Bethany College – students, faculty, staff and alumni – are united behind Bethany's core values of integrity, hospitality, community, servant leadership and sustainability. These are the values at the heart of the Bethany College experience: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we commemorate Bethany College's 135 years of educational service to the City of Lindsborg and to the entire state of Kansas; and

Be it further resolved: That we are honored to offer Bethany College sincere congratulations and wish the college many more successful years; and

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

On emergency motion of Senator Wilborn **SR 1733** was adopted unanimously.

The senate honored the guests representing Bethany College with a standing ovation.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 217, AN ACT concerning the Kansas department for aging and disability services; updating certain statutory references and making technical changes related thereto; amending K.S.A. 19-4016, 40-2,116, 40-12a01 and 74-3292 and K.S.A. 2016 Supp. 12-736, 21-5417, 21-6109, 22-4612, 36-501, 39-1430, 39-1431, 39-1433, 39-1602, 39-1903, 40-2,105, 40-2,105a, 40-3401, 40-3403, 59-2946, 59-29b46, 59-3077, 65-1626, 65-1669, 65-2895, 65-4412, 65-4432, 65-4915, 65-4921, 65-5601, 65-6805, 75-5923, 75-6102, 79-201b and 79-3606 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley,

Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, Masterson, McGinn, Olson, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Petersen.

The bill passed, as amended.

HB 2025, AN ACT concerning the board of nursing; relating to assistant attorneys general; reinstatement of licenses; fees; mental health technician's licensure act; amending K.S.A. 65-4203, 65-4208 and 74-1111 and K.S.A. 2016 Supp. 65-1118, 65-4202 and 65-4212 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, Masterson, McGinn, Olson, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Petersen.

The bill passed, as amended.

S Sub HB 2026, AN ACT concerning the Kansas program of medical assistance; process and contract requirements; claims appeals, was considered on final action.

On roll call, the vote was: Yeas 34; Nays 5; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, McGinn, Olson, Pettey, Rogers, V. Schmidt, Skubal, Sykes, Taylor, Tyson, Wagle, Wilborn.

Nays: Fitzgerald, Masterson, Pilcher-Cook, Pyle, Suellentrop.

Absent or Not Voting: Petersen.

The substitute bill passed.

S Sub HB 2027, AN ACT concerning the healing arts; relating to anatomic pathology billing; institutional licenses; licensee reporting; amending K.S.A. 2016 Supp. 65-2837, 65-2895 and 65-2898 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, Masterson, McGinn, Olson, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Petersen.

The substitute bill passed.

HB 2030, AN ACT concerning the administration of vaccines; reports relating thereto; amending K.S.A. 2016 Supp. 65-1635a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 35; Nays 4; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, McGinn, Olson, Pettey, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Wagle, Wilborn.

Nays: Masterson, Pilcher-Cook, Pyle, Tyson.

Absent or Not Voting: Petersen.

The bill passed, as amended.

HB 2044, AN ACT concerning the department of health and environment; establishing the KanCare bridge to a healthy Kansas program; concerning clubhouse-based psychosocial rehabilitation programs, was considered on final action.

On roll call, the vote was: Yeas 25; Nays 14; Present and Passing 0; Absent or Not Voting 1.

Yeas: Berger, Billinger, Bollier, Bowers, Doll, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, Longbine, McGinn, Pettey, Rogers, V. Schmidt, Skubal, Sykes, Taylor, Wilborn.

Nays: Alley, Baumgardner, Denning, Estes, Fitzgerald, LaTurner, Lynn, Masterson, Olson, Pilcher-Cook, Pyle, Suellentrop, Tyson, Wagle.

Absent or Not Voting: Petersen.

The bill passed.

EXPLANATION OF VOTE

Mr. Vice President: Until the federal government decides what is to happen with the Affordable Care Act and makes it clear on the direction for Medicaid Expansion, it is not the right time to pass it in Kansas. The cost to our state under the present financial condition is not something we can handle. The massive tax bill facing us, along with the difficult budgets that must be developed for the next two years and the new school funding formula which will cost millions more, makes this a most inopportune time for the added fiscal burden of Medicaid expansion. I understand the need for additional income opportunities for our hospitals as well as help for needy Kansans in the gap, but I think next session, we will better understand what we are taking on. Hopefully, our financial situation will be improving further, allowing for positive direction on the expansion question.—**BUD ESTES**

Senators Alley and Suellentrop request the record to show they concur with the "Explanation of Vote" offered by Senator Estes on **HB 2044**.

Mr. Vice President: I vote "Aye" on **HB 2044** for all the ambled bodied Kansans that get up everyday and go to work for companies that worked them less than 40 hours a week. Therefore, they don't qualify for insurance benefits. This bill will help them and their families. And, as it has been mentioned by Expanding KanCare it will create jobs and lower health costs. Well, Mr. Vice President, I also believe that this legislation will prevent unnecessary deaths and Save Lives. And, furthermore I still believe, that whatever the cost we should put people first before profit! I vote yes on **HB 2044**.—**OLETHA FAUST-GOUDEAU**

Senators Francisco, Haley, Hawk, Hensley, Holland, Pettey and Rogers request the record to show they concur with the "Explanation of Vote" offered by Senator Faust-Goudeau on **HB 2044**.

Mr. Vice President: I vote Aye on **HB 2044** because it's the right thing to do. The Alvarez and Marsal efficiency study recommended that the Legislature make sure federal tax dollars paid by Kansans are coming back to fully fund services that can be provided to Kansans. Expanding Medicaid does just that. The refusal to expand Medicaid has already cost our state more than \$1.7 billion in our own tax dollars. Expanding Medicaid helps close the gap for thousands of working Kansans who earn too much to qualify for Medicaid, but not enough to afford a private health care plan. It means these Kansans gain access to preventive services, primary care, and other services. It reduces their personal debt load, which improves their credit scores, and it makes them healthier, giving them more opportunity to find and keep better jobs. Expansion also means rural hospitals, clinics, mental health centers, and other health care providers remain open by reducing the cost of uncompensated care. Further, it creates more than 3,800 new jobs. This bill is not only good for Kansans; it is good for the state of Kansas. That is why I vote Aye on **HB 2044**.—ANTHONY HENSLEY

Senators Faust-Goudeau, Haley, Hawk, Holland, Kelly, Pettey and Rogers request the record to show they concur with the "Explanation of Vote" offered by Senator Hensley on **HB 2044**.

S Sub HB 2055, AN ACT concerning the state board of pharmacy; relating to powers, duties and functions thereof; biological products; amending K.S.A. 65-669, 65-1633, 65-1635, 65-1648, 65-1660 and 65-7007 and K.S.A. 2016 Supp. 65-1626, 65-1627, 65-1636, 65-1637, 65-1642, 65-1643, 65-1645, 65-1655, 65-1663, 65-1669, 65-1676, 65-2837a and 65-4202 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 65-1637b and 65-1651a, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, Masterson, McGinn, Olson, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Petersen.

The substitute bill passed, as amended.

HB 2212, AN ACT concerning career technical education; relating to the postsecondary technical education authority; amending K.S.A. 2016 Supp. 72-4484 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, Masterson, McGinn, Olson, Pettey, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Nays: Pilcher-Cook.

Absent or Not Voting: Petersen.

The bill passed, as amended.

HB 2213, AN ACT concerning postsecondary education; relating to private and out-of-state postsecondary educational institution fees; amending K.S.A. 2016 Supp. 74-32,181 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, Masterson, McGinn, Olson, Pettey, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Nays: Pilcher-Cook.

Absent or Not Voting: Petersen.

The bill passed, as amended.

HB 2217, AN ACT concerning emergency opioid antagonists; relating to standards governing the use and administration thereof; education requirements; civil and criminal liability, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, Masterson, McGinn, Olson, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Petersen.

The bill passed.

HB 2219, AN ACT relating to diabetes information reporting, was considered on final action.

On roll call, the vote was: Yeas 25; Nays 13; Present and Passing 1; Absent or Not Voting 1.

Yeas: Berger, Billinger, Bowers, Doll, Estes, Faust-Goudeau, Givens, Goddard, Haley, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Masterson, McGinn, Olson, Pettey, Rogers, V. Schmidt, Skubal, Sykes, Taylor.

Nays: Alley, Baumgardner, Bollier, Denning, Fitzgerald, Hardy, Lynn, Pilcher-Cook, Pyle, Suellentrop, Tyson, Wagle, Wilborn.

Present and Passing: Francisco.

Absent or Not Voting: Petersen.

The bill passed.

HB 2312, AN ACT concerning agriculture; relating to administrative procedure; division of water resources; fertilizer; amending K.S.A. 2016 Supp. 2-1201b, 2-1201c, 2-1208a, 82a-737 and 82a-1901 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 82a-1902, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, Masterson, McGinn, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson,

Wagle, Wilborn.

Nays: Olson.

Absent or Not Voting: Petersen.

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 Bowers in the chair.

HB 2110, HB 2118, HB 2136, HB 2191 be passed.

HB 2043, HB 2067, HB 2140 be amended by the adoption of the committee amendments, and the bills be passed as amended.

The committee report on **HB 2304** recommending **S Sub HB 2304** be adopted, be amended by motion of Senator V. Schmidt; on page 2, in line 23, by striking "non-mesh" and **S Sub HB 2304** be passed as amended.

A substitute motion to return **S Sub HB 2304** to committee failed.

On motion of Senator Denning, the Senate recessed until 2:00 p.m.

The senate met pursuant to recess with President Wagle in the chair.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2047, HB 2280, HB 2306, HB 2386**.

Announcing passage of **SB 21**, as amended by **H Sub SB 21; SB 112**, as amended.

Announcing passage of **SB 100**.

The House nonconcur in Senate amendments to **HB 2079**, requests a conference and has appointed Representatives Sloan, Rahjes and Victors as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2080**, requests a conference and has appointed Representatives Sloan, Rahjes and Victors as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2096**, requests a conference and has appointed Representatives Proehl, Francis and Lusker as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 16** and has appointed Representatives Vickrey, Dove and Neighbor as conferees on the part of the House.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2047, HB 2280, HB 2306, HB 2386 were thereupon introduced and read by title.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Longbine the Senate nonconcurrred in the House amendments to **H Sub SB 21** and requested a conference committee be appointed.

The President appointed Senators Longbine, Billinger and Rogers as a conference committee on the part of the Senate.

On motion of Senator Wilborn the Senate nonconcurrred in the House amendments to **SB 112** and requested a conference committee be appointed.

The President appointed Senators Wilborn, Lynn and Haley as a conference committee on the part of the Senate.

ORIGINAL MOTION

On motion of Senator Kerschen, the Senate acceded to the request of the House for a conference on **HB 2079**.

The President appointed Senators Kerschen, Estes and Francisco as conferees on the part of the Senate.

On motion of Senator Kerschen, the Senate acceded to the request of the House for a conference on **HB 2080**.

The President appointed Senators Kerschen, Estes and Francisco as conferees on the part of the Senate.

COMMITTEE OF THE WHOLE

The Senate returned to the Committee of the Whole, for further consideration of bills on the calendar under the heading of General Orders with Senator Kerschen in the chair.

On motion of Senator Kerschen, The morning report and the following afternoon report were adopted.

HB 2329 be passed.

HB 2102 be amended by motion of Senator Fitzgerald; on page 1, following line 16, by inserting:

"Sec. 2. K.S.A. 2016 Supp. 75-2550 is hereby amended to read as follows: 75-2550. (a) The system board shall consist of one or more representatives selected by each of the boards participating in the regional system, and one or more representatives appointed by the ~~governor~~ board of county commissioners of each county that is a part of the regional system to represent territory not within the district of participating library board but within the territory of the regional system of cooperating libraries. The petition provided for in K.S.A. 75-2549, and amendments thereto, may propose the number of representatives of each such board, but the determination thereof shall be made by the state board when approving such petition. The state board shall consider any petition presented to it as provided in this act and if it approves such petition it shall adopt a resolution officially designating such particular regional system of cooperating libraries and describing the territory thereof which shall include one or more counties but shall exclude the territory of any taxing district which regularly levies 0.25 or more mills of tax for the support of a public library upon the request of the governing body of the district making such levy. Any district so excluded may later petition to be added to and included in the regional system of cooperating libraries from which it was excluded and such petition shall be prepared and processed as other petitions provided for by this act. Additional counties may be added to the territory of any regional system of cooperating libraries upon petition by a library board located in such county and such a petition shall be prepared and processed as is provided in this act for initial petitions; except that the prior approval in writing of a petition under this sentence shall be obtained by the petitioning board from the regional board and attached to the petition when submitted to the state board. Within two weeks after receiving notice of approval of a petition provided for under this act the board of each participating library and the ~~governor~~ board of county commissioners of the county of residence of such appointee, shall select the number of representatives determined by the state board and shall certify

the names and addresses of such representatives to the state librarian. The term of each such representative may be proposed in the petition provided under K.S.A. 75-2549, and amendments thereto, but shall not exceed four years, and the final determination of duration of terms shall be made by the state board at the time of approval of the petition.

(b) Any taxing district which regularly levies 0.25 mill or more of tax for the support of a public library, and which taxing district has been included in a regional system, may petition to be excluded from the regional system. Such petition shall be made and presented to the state board. The state board shall consider any such petition and if such taxing district meets the requirement for making such a petition and if excluding such taxing district from the regional system will do no manifest harm thereto, the state board may enter its order excluding and detaching such taxing district from the regional system and making such adjustment to the organization of such regional system as may be appropriate to continue the operation of the regional system without interruption.

(c) The system board shall have the authority and power to:

- (1) Operate a system of library service to and for participating libraries;
- (2) the system board may purchase service from a participating library for the benefit of the regional system of cooperating libraries;
- (3) the system board may contribute to or receive contribution from any participating library, and may receive and utilize any gift of funds or property donated to the regional system of cooperating libraries;
- (4) the system board may contract with any one or more participating libraries and the board of each participating library is hereby authorized to contract with the system board or with any one or more other boards, but any such contract shall provide that the same shall not take effect until approved by the state librarian;
- (5) the system board may contract with any other system board or any board, but any such contract shall provide that the same shall not take effect until approved by the state librarian; and
- (6) employ a system librarian and such other persons as the regional board may find convenient or necessary;

Also on page 1, in line 17, by striking "is" and inserting "and K.S.A. 2016 Supp. 75-2550 are";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 2, after the semicolon by inserting "concerning certain appointments by the board of county commissioners"; also in line 2, after "and" by inserting "K.S.A. 2016 Supp. 75-2550 and"; in line 3, by striking "section" and inserting "sections", and the **HB 2102** be passed as amended.

HB 2128 be amended by motion of Senator Francisco; on page 1, in line 11, by striking the second "a"; in line 12, by striking all before the third "the" and inserting "(1) A statement describing"; in line 13, after the semicolon by inserting "(2) the justification listed in subsection (b) for closing the meeting"; in line 14, by striking "Such" and inserting "The complete"; also in line 14, by striking all after "motion"; in line 15, by striking all before "shall"; in line 19, by striking all after "(b)"; in line 20, by striking "except" and inserting "Justifications for recess to a closed or executive meeting may only include"; also in line 20, after "following" by inserting ", the need";

in line 21, after "(1)" by inserting "To discuss"; in line 22, after "(2)" by inserting "for"; in line 24, by striking "matters relating"; also in line 24, after "to" by inserting "discuss"; in line 27, by striking "confidential" and inserting "to discuss"; in line 29, after "(5)" by inserting "to discuss"; in line 33, by striking "preliminary discussions relating to" and inserting "for the preliminary discussion of"; in line 35, after "(7)" by inserting "to discuss"; also in line 35, after "matters" by inserting "relating to parimutuel racing";

On page 2, in line 1, after "(8)" by inserting "to discuss"; also in line 1, after "matters" by inserting "relating to the care of children"; in line 2, after the first "K.S.A." by inserting "2016 Supp."; also in line 2, by striking ", and amendments thereto,"; also in line 2, by striking the second "K.S.A."; in line 4, after "(9)" by inserting "to discuss"; also in line 4, after "matters" by inserting "relating to the investigation of child deaths"; in line 6, by striking all after "(10)"; by striking all in line 7; in line 8, by striking "(11)" and inserting "to discuss"; also in line 8, after "matters" by inserting "relating to patients and providers"; in line 10, before "matters" by inserting "to discuss"; in line 12, before "matters" by inserting "to discuss"; in line 27, before "matters" by inserting "to discuss"; also in line 27, after "matters" by inserting "relating to maternity centers and child care facilities"; in line 28, by striking "(f)" and inserting "(d)"; in line 29, before "matters" by inserting "to discuss"; also in line 29, after "matters" by inserting "relating to the office of inspector general"; by striking all in lines 32 and 33; in line 35, before "case" by inserting "to discuss"; in line 40, by striking "(1)"; in line 41, by striking "(13)" and inserting "(12)";

On page 3, by striking all in lines 1 through 9;

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly, and the **HB 2128** be passed as amended.

HB 2094 be amended by the adoption of the committee amendments, and the bill be passed as amended.

HB 2137 be amended by the adoption of the committee amendments, be further amended by motion of Senator Doll; on page 1, by striking all in line 24; in line 25, by striking all before the period and inserting "and may receive the usual compensation or other remuneration for such volunteer services"; in line 29, by striking all after "fighter"; in line 30, by striking all before the period and inserting "and may receive the usual compensation or other remuneration for such volunteer services", and **HB 2137** be passed as further amended.

HB 2006 be amended by the adoption of the committee amendments, be further amended by motion of Fitzgerald; on page 2, in line 23, by striking "odd-numbered year" and inserting "general", and **HB 2006** be passed as further amended.

A motion was offered by Senator Hensley to amend **HB 2006**. A substitute motion to return the bill back to committee was withdrawn. After discussion, Senator Hensley withdrew his amendment.

An amendment was offered by Senator Haley. A ruling of the chair was requested as to the germaneness to the bill. The Subcommittee on Rules determined the amendment not germane.

SB 179, **HB 2126** be passed over and retain a place on the calendar.

SPECIAL REMARKS

Abandoned properties and their ensuing blight to surrounding properties and entire neighborhoods continue to denigrate my home County of Wyandotte as well as many other Kansas municipalities. The amendment that I offer here today is comprised of language debated in many legislative committees and will, I believe, reconcile the urgency to put abandoned properties into the hands of responsible ownership without depriving a real property owner of their rights to due process or compensation. This amendment (a slight variation of this Session's **SB 31** and **HB 2404**, both which appear dead for this year) defines "abandoned property" and "blight" and expedites the current provisions of delinquent property tax (or "sheriff's") sales. Specific application of this amendment as law will put abandoned, blighted houses and storefronts in more frequent sales, with renovation requirements for clear title to vest, and begin to immediately improve the neighborhoods these buildings currently infest. My commitment to cure blight and protect property rights is in earnest and it is indeed regrettable that the amendment is ruled to not be germane to the underlying bill which seemingly leaves the topic to be delayed and addressed for yet another pain-staking, eyesore inducing year. –
DAVID HALEY

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 157** be passed.

Also, **SB 53** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL NO. 53," as follows:

"Substitute for SENATE BILL NO. 53

By Committee on Federal and State Affairs

"AN ACT concerning firearms; relating to the personal and family protection act; authorizing prohibition of firearms in secured areas of state hospitals; amending K.S.A. 2016 Supp. 75-7c20 and repealing the existing section.";

And the substitute bill be passed.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

SB 240, AN ACT concerning wildlife, parks and tourism; authorizing the purchase of land in Sherman county, by Committee on Ways and Means.

SB 241, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; ;maximum retirement benefits; amending K.S.A. 2016 Supp. 74-4958 and 74-4958a and repealing the existing sections, by Committee on Ways and Means.

SB 242, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; definition of service-connected; amending K.S.A. 2016 Supp. 74-4952 and repealing the existing section, by Committee on Ways and Means.

On motion of Senator Denning, the Senate adjourned until 10:00 a.m., Wednesday, March 29, 2017.

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

