

Journal of the Senate

THIRTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 1, 2018, 2:30 p.m.

The Senate was called to order by President Susan Wagle.

The roll was called with 38 senators present.

Senators McGinn and Suellentrop were excused.

Invocation by Reverend Cecil T. Washington:

Lord, with much gratefulness we come again, duty bound to use the gifts You've bestowed upon us to serve You and Your people.

It's a daunting responsibility, so when we interact with one another...when we debate various positions and share with those we serve, help us to do it like the Apostle Paul in 1 Corinthians 1:1-5.

Not trying to impress people by using lofty rhetoric, but realizing the weakness and inadequacy of man's wisdom, bring us humbly to these tasks with fear and trembling.

Rather than trying to use clever and persuasive words, lead us to engage one another in humility, trusting in the leading of Your Holy Spirit.

For then, and only then, will the giftedness You've bestowed on each of us be unselfishly shared to benefit all of us.

For the sake of finishing a work worthy of representing You, keep us duty bound to the humility of this task.

In the Name of Jesus, Humility Personified, I pray these words. 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 433, AN ACT concerning alcoholic beverages; authorizing self-service of beer from automated devices; amending K.S.A. 2017 Supp. 41-2640 and repealing the existing section, by Committee on Federal and State Affairs.

SB 434, AN ACT concerning STAR bonds; relating to project costs; tourist attraction component; requirements for project approval; limitations on certain businesses; portion of state sales tax increment financing permitted; addition of area; amending K.S.A. 2017 Supp. 12-17,162, 12-17,164, 12-17,169 and 12-17,171 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 435, AN ACT concerning real estate brokers and salespersons; relating to rebates; amending K.S.A. 2017 Supp. 58-3035 and 58-3062 and repealing the existing sections, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **HB 2577, HB 2691.**

Commerce: **SCR 1612; HB 2701** (*referred separately*).

Education: **Sub HB 2602.**

Ethics, Elections and Local Government: **HB 2604, HB 2642, HB 2700.**

Judiciary: **HB 2457, HB 2566, HB 2581.**

Public Health and Welfare: **HB 2496, HB 2530, HB 2549, HB 2573, HB 2590, HB 2639, HB 2674.**

Transportation: **Sub HB 2040.**

Utilities: **HB 2701** (*referred separately*).

Ways and Means: **HB 2419.**

CHANGE OF REFERENCE

The President withdrew **HB 2580** from the Committee on **Commerce**, and referred the bill to the Committee on **Financial Institutions and Insurance**.

The President withdrew **SB 320** from the Calendar under the heading of **General Orders**, and re-referred the bill to the Committee on **Agriculture and Natural Resources**.

The President withdrew **SB 12, SB 295, SB 329, SB 372, SB 409** from the Calendar under the heading of **General Orders**, and re-referred the bills to the Committee on **Judiciary**.

The President withdrew **SB 316** from the Calendar under the heading of **General Orders**, and re-referred the bill to the Committee on **Public Health and Welfare**.

The President withdrew **SB 273, SB 274, SB 291** from the Calendar under the heading of **General Orders**, and re-referred the bills to the Committee on **Transportation**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Faust-Goudeau introduced the following Senate resolution, which was read: SENATE RESOLUTION No. 1772—

A RESOLUTION congratulating and commending Rise Up For Youth for its inspirational and motivational mentoring programs for youth.

WHEREAS, Rise Up For Youth inspires and motivates future generations to unlock their full potential through education, mentoring and empowerment. Through two mentoring programs, Caring Ladies Assisting Students to Succeed (CLASS) and Do You Want To Live Or Die?, Rise Up For Youth works to keep students in school, out of legal trouble and on their way to a life of purpose; and

WHEREAS, Students come to Rise Up For Youth on their own, through friends, school counselors, law enforcement and other mentoring programs. Most are academically underperforming, come from challenging family backgrounds and have a greater chance than their peers of dropping out of school and finding their way into the criminal justice system. They have few positive role models. They need extra support – academically, emotionally and socially – to get through school; and

WHEREAS, Through programs such as CLASS, for teen girls, and Do You Want To

Live Or Die?, for young men, Rise Up For Youth helps participants through mentoring, education and empowerment; and

WHEREAS, CLASS and Do You Want To Live Or Die? conduct weekly group mentoring sessions in four USD 259 high schools in the Wichita area. These directed sessions allow participants to address concerns in their lives and support one another. Monthly enrichment workshops outside of school focus on specific areas to help participants develop skills necessary to be successful. Workshop topics have included healthy relationships, job skills, college prep, how to work with law enforcement and positive self-esteem. Both programs also conduct one-on-one mentoring. Staff and mentors are available 24/7 and go to where the students need them – at other schools, outside schools and online. This combination of group mentoring, skills development and full-time one-on-one mentoring makes Rise Up For Youth's programs unique in Wichita; and

WHEREAS, The most visible part of Rise Up For Youth's work comes from its education piece. Four-year graduation rates among African-American and Hispanic students in USD 259 was less than 72% for young men and 77% for young women. Failure to graduate dramatically increases the chances of imprisonment and continuing the cycle of poverty. With this in mind, Rise Up For Youth's primary goal is to help kids graduate from high school and encourage post-secondary education or quality full-time employment. Mentors monitor report cards quarterly to find problems that would prevent or delay high school graduation. They also give participants a view of college by taking them on college visits. By far the most popular aspect of the program is the taking of participants on tours of local and state colleges and traveling outside of Kansas. Every year, they go to at least one historically black college or university. For many students, college seemed like something that was not for them or was out of reach. By arranging visits to colleges, especially historically black colleges and universities, Rise Up For Youth shows participants the possibilities available to them; and

WHEREAS, Rise Up For Youth also prepares youth for college through ACT prep, help with FAFSA and assistance in applying for college. Rise Up For Youth understands the difficulty many participants face financially, so mentors make sure everyone goes off to college with a college care package of dorm and school necessities and provide educational scholarships for deserving students when resources are available; and

WHEREAS, The greatest role models for participants are David and Lynn Gilkey. Their personal journeys inspire children and adults alike. Many students say the way Lynn and David care about them and connect with them have made the most impact in their successes. Their commitment to student success really allows participants to know someone cares and to seek out support when they need it. David and Lynn also inspire the adults around them to provide support socially and financially to help young people succeed in life; and

WHEREAS, Rise Up For Youth, CLASS, and Do You Want To Live Or Die? want to empower participants. Empowered teens will become adults with purpose and are more able to make healthy lifestyle choices. Rise Up For Youth provides the participants with cultural and volunteer opportunities outside of school and home that they may not otherwise have access to. Community service gives participants the chance to give back to their community and teaches them about service leadership. Enrichment programs include visiting the Kansas African-American Museum, participating in the Kansas

Youth Leadership Summit, touring prisons and attending cultural and arts events. Participants who attend events frequently and meet academic expectations are given positive incentive awards. These include outings to Worlds of Fun, K-State football games, bowling and other local activities; and

WHEREAS, Most importantly, Rise Up For Youth provides positive role modeling. By having active and engaged community members, participants can be inspired to live purposeful lives. Business and community leaders have come together to engage and inspire. By seeing what their lives can be and having access to the tools to get there, participants can emulate role models and achieve success; and

WHEREAS, The Rise Up For Youth staff is made up of Lynn Gilkey, co-founder and CLASS Program Director; David Gilkey, co-founder and Do You Want To Live Or Die? Program Director; Ariel Rodriguez-Williams, Executive Director; and Kareem Collins, Program Coordinator. The volunteer board of directors has 13 individuals representing business, community and educational leaders. Volunteers for the organization come from a broad range of area residents, and all are committed to the success of the young people in the programs: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Rise Up For Youth for its inspirational and motivational mentoring programs for youth in Kansas; and

Be it further resolved: That the Secretary of the Senate shall send enrolled copies of this resolution to Lynn Gilkey, David Gilkey, Ariel Rodriguez-Williams, Kareem Collins and Senator Faust-Goudeau.

On emergency motion of Senator Faust-Goudeau **SR 1772** was adopted unanimously.

Guests introduced were Ariel Rodriguez-Williams, Lynn Gilkey, Tiara Brown, Aalissa Rippatoe, Roxzana Martinez, Kim Voth and Kamilah Sharpe.

The senate honored the students and sponsors with a standing ovation.

MESSAGES FROM THE GOVERNOR

SB 283 approved on March 01, 2018

February 5, 2018

To the Senate of the State of Kansas

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

Jeff Colyer
Governor

Governor's Appointee, Kansas Public Employees' Retirement System Board of Trustees, James Zakoura (U), Overland Park, pursuant to the authority vested in me by KSA 74-4905 et seq., and effective upon the date of confirmation by the Senate, to serve a four year term, to expire January 15, 2021, to succeed Lois Cox.

February 6, 2018

To the Senate of the State of Kansas

Submitted herewith for confirmation by the Senate are the appointments made by me as

the Governor of the State of Kansas, pursuant to law.

Jeff Colyer
Governor

Public Member, Employment Security Board of Review, Phillip Hayes (R), Haysville, pursuant to the authority vested in me by KSA 44-709(f) 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, University of Kansas Hospital Authority, Monte Coffman (R), Coffeyville, 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.

Secretary, Kansas Department for Children and Family Services, Gina Meier-Hummel (R), Lawrence, pursuant to the authority vested in me by KSA 75-5301 et seq., and effective upon the date of confirmation by the Senate, to serve at the pleasure of the governor to succeed Phyllis Gilmore.

Commissioner, Kansas Human Rights Commission, James Terrones (R), Olathe, 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, 2021, to succeed Eric Laverentz.

Commissioner, Kansas Racing and Gaming Commission, Larry Turnquist (D), Saline, pursuant to the authority vested in me by KSA 74-8803 et seq., and effective upon the date of confirmation by the Senate, to serve a four year term, to expire January 15, 2019, to succeed Dennis McKinney.

Secretary, Kansas Department of Health and Environment, Jeffrey Anderson (R), Overland Park, pursuant to the authority vested in me by KSA 75-5601 et seq., and effective upon the date of confirmation by the Senate, to serve at the pleasure of the governor to succeed Susan Mosier.

Member, State Board of Indigent Defense Services, Braden Perry (R), Mission Hills, pursuant to the authority vested in me by KSA 22-4519 et seq., and effective upon the date of confirmation by the Senate, to serve a three year term, to expire January 15, 2020, to succeed Andrew Wimmer. Member,

Racing and Gaming Commission, Dave Myres (R), Shawnee, pursuant to the authority vested in me by KSA 74-8803 et seq., and effective upon the date of confirmation by the Senate, to serve a four year term, to expire January 15, 2020, to succeed Eileen King.

COMMUNICATIONS FROM STATE OFFICERS

August 29, 2017

OFFICE OF THE ATTORNEY GENERAL

Pursuant to KSA 74-7303, I am appointing Nan Porter as a member of the Crime Victims Compensation Board.

Sincerely

Derek Schmidt
Kansas Attorney General

STRICKEN FROM THE CALENDAR

On motion of Senator Jim Denning **SB 330** were stricken from the calendar.

On motion of Senator Denning, the senate adjourned pro forma until 8:00 a.m., Friday, March 02, 2018.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

