

# Journal of the Senate

THIRTY-SECOND DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Wednesday, February 27, 2019, 10:00 a.m.

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

Heavenly Father, God of all Heaven and Earth, knowing You as our God and knowing that You love us is so encouraging, especially in view of everything that confronts us. Many of the issues that challenge us are difficult to resolve and given that we have limited abilities it's just a blessing to know You have our back. Our ability to solve problems is naturally restricted to our human limitations, but Your approach to them is supernatural.

We have blurred vision and can only see so much. But, in Proverbs 15:3, nothing gets past You. There's no limit to Your presence. You are everywhere watching everything we face whether good or bad. We have hazy, distorted knowledge and what we do know is limited. But, in Hebrews 4:13, nothing is ever hidden or covered up from You. Everything is naked before You and held accountable.

Lord, our human limitations are ever before us. Even when You let us clearly see what we're facing and enable us to understand the issues, we find ourselves limited or even powerless. But we find, in Revelation 19:6, that You are Almighty, all Powerful and fully Sovereign. You are King of kings and Lord of lords! Therefore, Master, even when we don't have the answers we know that you do.

So, Lord, sovereignly guide us and help us to trust You for the results. I offer this prayer in the precious Name of Jesus. So be it and Amen!

The Pledge of Allegiance was led by President Wagle.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill and concurrent resolution were introduced and read by title:

**SB 219**, AN ACT concerning consumer protection; relating to the scrap metal theft reduction act; assessing an excise tax on scrap metal; creating the scrap metal data repository fund; registration fees; database amending K.S.A. 2018 Supp. 50-6,109a and 50-6,112a and repealing the existing sections, by Committee on Ways and Means.

The following concurrent resolution was introduced and read by title:

SENATE CONCURRENT RESOLUTION No. **SCR 1607**—

By Senators Wagle, Denning and Hensley

A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period of time during the 2019 regular session of the legislature.

*Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein:* That the legislature shall adjourn at the close of business of the daily session convened on February 28, 2019, and shall reconvene on March 6, 2019, pursuant to adjournment of the daily session convened on February 28, 2019; and

*Be it further resolved:* That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

*Be it further resolved:* That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

*Be it further resolved:* That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation, subsistence allowances, mileage and other expenses in amounts prescribed under K.S.A. 75-3212, and amendments thereto.

On emergency motion of Senator Denning **SCR 1607** was adopted by voice vote.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **HB 2215**.

Federal and State Affairs: **SB 218**.

Judiciary: **HB 2365**.

## FINAL ACTION ON CONSENT CALENDAR

**SB 53, SB 71, SB 105; HB 2044** having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.,

**SB 53**, AN ACT concerning state emblems; designating the chambourcin as the state red wine grape; designating the vigoles as the state white wine grape.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed.

**SB 71**, AN ACT concerning postsecondary education; relating to the state board of regents; eliminating the expiration of the postsecondary technical education authority; requiring an annual report; amending K.S.A. 74-32,402 and repealing the existing section; also repealing K.S.A. 74-32,404.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed.

**SB 105**, AN ACT concerning cities; relating to elections; amending K.S.A. 25-313 and K.S.A. 2018 Supp. 25-2120 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed.

**HB 2044**, AN ACT concerning income taxation; relating to credits; certain purchases of goods and services from qualified vendors that provide employment to individuals who are blind or severely disabled; qualifications, procedures and limitations.

On roll call, the vote was: Yeas 37; Nays 1; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wilborn.

Nays: Ware.

Present and Passing: Francisco, Wagle.

The bill passed.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**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, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed, as amended.

**SB 16**, AN ACT concerning education; relating to the Kansas school equity and enhancement act; authorizing expenditures from the at-risk education fund; amending K.S.A. 72-5153 and 72-5193 and repealing the existing sections, was considered on final action.

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

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

Nays: Hilderbrand.

The bill passed, as amended.

**SB 60**, AN ACT concerning real estate; relating to licensing of brokers and salespersons; application, temporary licenses, education requirements, deactivation and reinstatement of licenses, broker's primary office, fees, effect on other licenses of suspension or revocation of certain licenses; Kansas real estate commission; organization, seal; amending K.S.A. 74-4202 and K.S.A. 2018 Supp. 58-3039, 58-3040, 58-3045, 58-3046a, 58-3047, 58-3060, 58-3063, 58-3080 and 58-3081 and repealing the existing sections; also repealing K.S.A. 58-3049, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed.

**Sub SB 62**, AN ACT regulating traffic; concerning authorized emergency vehicles; relating to police vehicles; exempting police vehicle drivers engaged in certain actions from audible or visual requirements; allowed actions by driver, was considered on final action.

On roll call, the vote was: Yeas 34; Nays 4; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Givens, Goddard, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Taylor, Tyson, Wagle, Wilborn.

Nays: Bollier, Haley, Pettey, Ware.

Present and Passing: Francisco, Sykes.

The substitute bill passed.

#### EXPLANATION OF VOTE

Madam President: Kansas law enforcement works every day to enforce the laws of Kansas for the safety of all. Audible or visual signals help Kansans know that law enforcement is at work. The changes in **Sub SB 62** foster confusion for citizens and

could create more problems than answers for the law enforcement community. I vote "NO."—PAT PETTEY

Senators Bollier and Haley request the record to show they concur with the "Explanation of Vote" offered by Senator Pettey on **Sub SB 62**.

Madam President: I vote "NO" on **Sub SB 62**. This bill, allow waivers for law enforcement to have to signal, or light or sound themselves while on duty, is a solution in search of a problem. There is no necessity for it. In other words, we don't need it. Does a police officer write a ticket to another police officer for speeding, or failing to signal, or "U"-turn, or not using a siren or flashing light during a lawful surveillance and/or pursuit or any other example of recognized on-duty work? Are there any documented examples of a prosecutor pursuing such charge(s) or certainly judgment(s) against such law enforcement officer? Madame President, really. What are we doing here? And, since this bill really is not fully vetted nor seemingly necessary, now my concern, purely on behalf of public safety becomes: if any officer (due to NOT giving appropriate awareness of their on-duty-and-official-pursuit-status though even in the course of recognized duty) SHOULD contribute to a loss of life or limb of any innocent third party, does this bill provide a shield or immunity from contributory causation? Recognizing Senate Judiciary has been remiss this Session in even working unified consensus bills in committee, respectfully, this bill should not have come out of the Transportation Committee. I hope it will not confuse a need of greater public safety from chase-related accidents by an attempt to affirm all of our genuine respect for the appreciated service of diligent and attentive and safely-progressing on-duty law enforcement.—DAVID HALEY

**SB 63**, AN ACT concerning transportation network company vehicles; relating to authorized lights, city ordinances; amending K.S.A. 2018 Supp. 8-1729 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed.

**SB 67**, AN ACT concerning life insurance; establishing the unclaimed life insurance benefits act, was considered on final action.

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

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

Present and Passing: Hilderbrand.

The bill passed.

**SB 68**, AN ACT concerning cities; relating to a valid contract franchise ordinance and wireless service providers; prohibitions; amending K.S.A. 2018 Supp. 12-2001 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed, as amended.

**SB 78**, AN ACT concerning consumer protection; relating to assignment of rights or benefits to a residential contractor under a property and casualty insurance policy insuring residential real estate, was considered on final action.

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

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Wagle, Ware, Wilborn.

Nays: Tyson.

Present and Passing: Hilderbrand.

The bill passed, as amended.

**SB 82**, AN ACT concerning financial institutions; relating to the state banking code; form of delivery of certain notices; certificates of existence; conversion to state banks; amending K.S.A. 2018 Supp. 9-550, 9-808, 9-908 and 9-1506 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed.

**SB 90**, AN ACT concerning economic development; relating to the center for entrepreneurship act; extending the tax credit for contributions to financial institutions and increasing the annual credit available for all contributors; amending K.S.A. 74-99c09 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed.

**SB 94**, AN ACT concerning motor vehicle insurance; relating to reductions in premiums; approved motor vehicle accident prevention courses; pertaining to course duration and approving entities; amending K.S.A. 40-1112a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed, as amended.

**SB 97**, AN ACT concerning motor vehicles; relating to fleet rental vehicles; registrations; creating the fleet rental vehicle administration fund; amending K.S.A. 2018 Supp. 8-145 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed, as amended.

**SB 128**, AN ACT concerning schools; relating to safety drills; requiring a certain number of fire, tornado and crisis drills; rules and regulations of the state fire marshal; amending K.S.A. 2018 Supp. 31-133 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed, as amended.

**HB 2001**, AN ACT concerning agriculture; relating to environmental remediation; extending the sunset date for the remediation linked deposit loan program, the remediation reimbursement program and the Kansas agricultural remediation fund; amending annual assessment rates; amending K.S.A. 2-3712 and K.S.A. 2018 Supp. 2-3713 and 2-3714 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson,

Wagle, Ware, Wilborn.  
The bill passed.

#### 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 Hilderbrand in the chair.

**SB 27, SB 49, SB 199** be passed.

**SB 61, SB 77, SB 134, SB 193** be amended by the adoption of the committee amendments, and the bills be passed as amended.

**SB 162** be amended by the adoption of the committee amendments, be further by motion of Senator Suellentrop; on page 1, in line 31, after "report" by inserting ":

(A)";

Also on page 1, also in line 31, by striking the comma and inserting ";

(B)";

Also on page 1, in line 32, by striking the comma and inserting ";

(C)";

Also on page 1, in line 33, after "reason" by inserting a semicolon; in line 34, before "any" by inserting:

"(D)"; and **SB 162** be passed as further amended.

**HB 2035** be amended by the adoption of the committee amendments, be further amended by motion of Senator Givens; on page 3, in line 5, after "liquor" by inserting a comma; following line 27, by inserting:

"(c) As used in this section, the term "retailer" means the same as such term is defined in K.S.A. 41-102, and amendments thereto."

and **HB 2035** be passed as further amended.

The committee report on **SB 130** recommending **Sub SB 130** be adopted; and the substitute bill be passed.

The committee rose and reported progress (See Committee of the Whole afternoon session.)

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

#### AFTERNOON SESSION

The Senate met pursuant to recess with Vice President Longbine in the chair.

#### COMMITTEE OF THE WHOLE

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

On motion of Senator Hilderbrand the report for the morning and afternoon sessions were adopted.

**SB 59** be passed

**SB 7** be amended by the adoption of the committee amendments, and the bill be passed as amended.

**SB 131** be amended by the adoption of the committee amendments, be further by motion of Senator Bowers; on page 1, in line 19, by striking all after "years"; by



striking all in line 20; in line 21, by striking all before the period; in line 36, after "on" by inserting "or before"; and **SB 131** be passed as further amended.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Denning an emergency was declared by a 2/3 constitutional majority, and **SB 7, SB 27, SB 49, SB 59, SB 61, SB 77, SB 130, SB 131, SB 134, SB 134, SB 162, SB 193, SB 199; HB 2035** were advanced to Final Action and roll call.

**SB 7**, AN ACT concerning school boards; relating to timing of elections of officers and certain other matters; amending K.S.A. 72-1073, 72-1088, 72-1133 and 72-1138 and repealing the existing sections.

On roll call, the vote was: Yeas 37; Nays 2; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

Nays: Baumgardner, Hilderbrand.

Present and Passing: Suellentrop.

The bill passed as amended.

**SB 27**, AN ACT concerning employment security law; relating to lessor employment units and lessee clients; restrictions on leasing certain employees; amending K.S.A. 44-758 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed.

**SB 49**, AN ACT concerning wildlife, parks and tourism; relating to cabins and camp sites; fees; amending K.S.A. 2018 Supp. 32-999 and repealing the existing section.

On roll call, the vote was: Yeas 29; Nays 11; Present and Passing 0; Absent or Not Voting 0.

Yeas: Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kerschen, Longbine, McGinn, Miller, Olson, Pettey, Skubal, Sykes, Taylor, Wagle, Ware, Wilborn.

Nays: Alley, Baumgardner, Hilderbrand, Lynn, Masterson, Petersen, Pilcher-Cook, Pyle, Rucker, Suellentrop, Tyson.

The bill passed.

### EXPLANATION OF VOTE

Mr. Vice-President: I do not believe that any state agency should be in direct competition with private business. By removing the fee cap, and giving them the ability to raise and lower their fees without any oversight, we are giving this agency an unfair advantage over our private businesses. We also heard concerns over whether or not the

state had to follow the same safety requirements as our private business's, without being given a definitive answer. For these reasons I vote "NO" on **SB 49**.—RICHARD HILDERBRAND

Mr. Vice President: I vote "NO" on **SB 49**. I support the concept of giving flexibility on the pricing of cabins. However, this bill removes the cap when they already have the authority to more than double the highest price cabins, and almost triple others under the current cap. Our state needs to encourage our own citizens to get outside and enjoy the outdoors and encourage tourists to visit our parks.—MIKE PETERSEN

Senators Hilderbrand, Lynn and Suellentrop request the record to show they concur with the "Explanation of Vote" offered by Senator Petersen on **SB 49**.

**SB 59**, AN ACT creating the Eudora community library district act.

On roll call, the vote was: Yeas 27; Nays 12; Present and Passing 1; Absent or Not Voting 0.

Yeas: Berger, Billinger, Bollier, Bowers, Braun, Doll, Estes, Faust-Goudeau, Francisco, Givens, Haley, Hardy, Hawk, Hensley, Holland, Kerschen, Longbine, Lynn, McGinn, Miller, Olson, Pettey, Pyle, Skubal, Sykes, Taylor, Ware.

Nays: Baumgardner, Denning, Goddard, Hilderbrand, Masterson, Petersen, Pilcher-Cook, Rucker, Suellentrop, Tyson, Wagle, Wilborn.

Present and Passing: Alley.

The bill passed.

**SB 61**, AN ACT concerning health and healthcare; relating to the practice of podiatry; qualifications; amending K.S.A. 65-2002and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed, as amended.

**SB 77**, AN ACT concerning children and minors; relating to children with sexual behavior problems; Kansas department for children and families; voluntary services.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Present and Passing: Haley, Ware.

The bill passed, as amended.

#### EXPLANATION OF VOTE

Mr. Vice President: I vote "PRESENT BUT PASSING " on **SB 77** regarding a child under 18 years exhibiting a sexual behavior problem who allegedly commits sexual

abuse against another person under 18. Under this bill, now our Department of Children & Family (DCF) must respond and, if proven, referred to the child-in-need-of-care (CINC) code and referred to a child advocacy center. I agree that we need greater scrutiny and response to the growing number of our youths acting aggressively and sexually abusive. My only hesitancy is the fiscal note, or costs through DCF, to increase the government's role in ferreting out, then offering the parent(s) counseling for the aggressive child (and if refused by the parent, mandating the same). A quarter of a million for identifying and referring to designated counseling centers. Again, we definitely need to better police the growing number of aggressive sexual interludes between juveniles. But we also should explore less invasive, parentally-inclusive not overtly mandated and not so tax-payer expensive stop-gaps, too.—DAVID HALEY

**Sub SB 130**, AN ACT concerning elections; relating to advance ballots; amending K.S.A. 2018 Supp. 25-1124 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The substitute bill passed.

**SB 131**, AN ACT concerning elections; amending K.S.A. 80-202 and K.S.A. 2018 Supp. 25-21a03 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed as amended.

**SB 134**, AN ACT concerning crimes, punishment and criminal procedure; relating to counterfeiting currency; amending K.S.A. 2018 Supp. 21-5840 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed, as amended.

**SB 162**, AN ACT concerning children and minors; relating to foster care; requiring notification by a foster care case management contractor and the Kansas department for children and families of certain situations involving children.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed, as amended.

**SB 193**, AN ACT concerning the behavioral sciences regulatory board; relating to certain regulated professions; licensure; reciprocity; amending K.S.A. 65-5801, 65-5807, 65-6306, 65-6309, 65-6321, 65-6401, 65-6405, 65-6406, 65-6411, 65-6611, 65-6613, 74-5301, 74-5310, 74-5315, 74-5316, 74-5344, 74-5375 and 74-5376 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed, as amended.

**SB 199**, AN ACT concerning education; relating to Kansas high school equivalency credentials; establishing the AO-K to work program.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed.

**HB 2035**, AN ACT concerning alcoholic beverages; relating to cereal malt beverages and enforcement of laws regulating the sale thereof; amending K.S.A. 2016 Supp. 41-308, as amended by section 6 of chapter 56 of the 2017 Session Laws of Kansas, and K.S.A. 2018 Supp. 41-106 and 79-4101 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The bill passed, as amended.

#### MESSAGE FROM THE HOUSE

Announcing passage of **HB 2006, HB 2031, HB 2084, HB 2103, HB 2126, HB 2140, HB 2147, HB 2167, HB 2168, HB 2174, HB 2177, HB 2178, HB 2185, HB**

**2191, HB 2198, HB 2206, HB 2209, HB 2211, HB 2214, HB 2225, HB 2239, HB 2243, HB 2246, HB 2248, HB 2281, HB 2290**

Announcing adoption of **SCR 1607**.

#### **INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS**

**HB 2006, HB 2031, HB 2084, HB 2103, HB 2126, HB 2140, HB 2147, HB 2167, HB 2168, HB 2174, HB 2177, HB 2178, HB 2185, HB 2191, HB 2198, HB 2206, HB 2209, HB 2211, HB 2214, HB 2225, HB 2239, HB 2243, HB 2246, HB 2248, HB 2281, HB 2290** were thereupon introduced and read by title.

#### **CHANGE OF REFERENCE**

Under the authority of the President, the Vice President withdrew **SB 167** from the Committee on **Public Health and Welfare**, and referred the bill to the Committee on **Ways and Means**.

Under the authority of the President, Vice President withdrew **SB 24** from the Committee on **Utilities**, and referred the bill to the Committee on **Ways and Means**.

Under the authority of the President, the Vice President withdrew **SB 108, SB 133**, from the Calendar under the heading of **General Orders**, and referred the bill to the Committee on **Ways and Means**.

On motion of Senator Denning, the senate adjourned pro forma until 8:30 a.m. February 28, 2019.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.

COREY CARNAHAN, *Secretary of the Senate*.

