

Journal of the Senate

THIRTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 5, 2020, 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 T. Washington:

Hearing God In The Closet Of Prayer!
Mathew 6:5-13

Gracious God; thank You for this moment that is set aside for prayer. In Matthew 6:6, Your Word speaks of going into a closet and shutting the door to pray. More than anything, more than whatever may be going on in the world around us, we need to personally and individually hear from You.

So, Lord, right now as we go into prayer, help us to shut the door. Help us to avoid the distractions that come when we try turning our thoughts to You. For sometimes, when we try to pray instead of connecting and talking with You, we find our minds wandering and we wind up talking to ourselves about what we're going to do when we finish prayer time.

Lord, for our prayers to get past the ceiling and truly enter Your throne room of grace, we need You, by Your Powerful Holy Spirit, to connect with our frail human spirits.

So, Lord, for the next few moments, even as I've been leading us in prayer, I'm going to shut my mouth. For a few quiet moments, so that Your still, small, quiet voice might break through and be heard by each of us, we'll shut the door to distractions.

Lord, I thank You for the privilege of prayer and for these few moments spent in the closet. In the precious Name of Jesus, 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 483, AN ACT concerning farm wineries; relating to licensure; manufacture of domestic wine; eliminating a required percentage of Kansas-grown products utilized therein; amending K.S.A. 2019 Supp. 41-308a and repealing the existing section, by Committee on Federal and State Affairs.

SB 484, AN ACT concerning public assistance; relating to food assistance; authorizing the secretary for children and families to request a waiver from certain limitations thereunder; amending K.S.A. 2019 Supp. 39-709 and repealing the existing

section, by Committee on Ways and Means.

SB 485, AN ACT concerning public assistance; relating to cash assistance; allowing certain activities to fulfill work participation requirements thereunder; amending K.S.A. 2019 Supp. 39-709 and repealing the existing section, by Committee on Ways and Means.

SB 486, AN ACT concerning property taxation; relating to tax payments; establishing the assessed valuation increase deferral program; providing a payment plan for certain increases in property taxes, by Committee on Assessment and Taxation.

SB 487, AN ACT concerning state property; relating to the construction of a department of health and environment laboratory on parking lot No. 4 of the capitol complex in Topeka, Kansas; relating to the renovation of the Docking state office building; authorizing the department of administration to issue bonds for such capital improvement projects, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 481, HB 2462, HB 2463, HB 2464, HB 2575.**

Assessment and Taxation: **HB 2516.**

Commerce: **HB 2428; Sub HB 2506; HB 2507, HB 2702.**

Education: **HB 2487, HB 2540.**

Ethics, Elections and Local Government: **HB 2509, HB 2510, HB 2583.**

Federal and State Affairs: **HB 2646.**

Financial Institutions and Insurance: **HB 2452, HB 2479, HB 2480, HB 2619.**

Judiciary: **HB 2438, HB 2456, HB 2469, HB 2470, HB 2495, HB 2496, HB 2518, HB 2546, HB 2554, HB 2587, HB 2695, HB 2699, HB 2708, HB 2713.**

Transportation: **HB 2528, HB 2547.**

Utilities: **SB 482, HB 2585, HB 2618.**

Ways and Means: **SB 478, SB 479, SB 480, HB 2503.**

REFERENCE OF APPOINTMENTS

The following appointment made by the Governor and submitted to the Senate for confirmation, was referred to Committee as indicated:

Member - 1, University of Kansas Hospital Authority:

Talal Khan, to serve Term ends March 15, 2022.

(Committee on Public Health and Welfare)

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Holland, Berger, Billinger, Bollier, Bowers, Braun, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Lynn, Masterson, Miller, Pettey, Skubal, Sykes, Taylor, Tyson and Ware introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1766—

A RESOLUTION recognizing the Kansas Small Business
Development Center's 2020 Businesses of the Year.

WHEREAS, The mission of the Kansas Small Business Development Center (SBDC), an accredited member of the national organization, America's SBDC, is to increase economic prosperity in Kansas by helping entrepreneurs and small business owners start and grow their businesses through professional consulting, training and the identification of appropriate resources; and

WHEREAS, The Kansas SBDC regional directors and staff selected eight Emerging Business of the Year award recipients, eight Existing Business of the Year award recipients and two Exporting Business of the Year award recipients; and

WHEREAS, The Kansas SBDC's Business of the Year awards are designed to recognize Kansas SBDC clients for superior performance; and

WHEREAS, Business of the Year award recipients have achieved major accomplishments, overcome significant obstacles, shown growth and positive economic impact, which is based on a record of profitability and the Kansas SBDC Economic Impact Tracking spreadsheet, and demonstrated good corporate citizenship through community contributions; and

WHEREAS, The 2020 Kansas SBDC Emerging Businesses of the Year are: EMP Shield in Burlington, Kansas, owned by Timothy Carty and Peter Keegan; Mind Sculpt Games, LLC, in Great Bend, Kansas, owned by Darcy Leech and Daniel Leech; LC BioPlastics, LLC, in Prairie Village, Kansas, owned by Paul Black; Julie Bear Don't Walk Acupuncture & Integrative Health in Lawrence, Kansas, owned by Julie Bear Don't Walk; Smallville CrossFit in Fort Scott, Kansas, owned by Lindsey and Aaron Watts; The Red Rock Experience & Venue in Ulysses, Kansas, owned by Tammy Lane-Reese; Ember Technology, LLC, in Wichita, Kansas, owned by Jonathan Sanchez and Tariq Azmi; and Anneal Initiative, Inc., in Topeka, Kansas, owned by Amy Billinger, Jeremy Jackson and Jennie Jackson; and

WHEREAS, The 2020 Kansas SBDC Existing Businesses of the Year are: The Sweet Granada in Emporia, Kansas, owned by Kim Redeker; Paisley Pear Wine Bar, Bistro & Market in Hays, Kansas, owned by Shaun and Heather Musil; Blue Valley Physical Therapy in Overland Park, Kansas, owned by Ann Todd-Cooper and Ryan Klusman; Young Sign Co., in Leavenworth, Kansas, owned by Ann and John Hoins; ADI, Inc., in Chanute, Kansas, owned by Merrill and Wendy Cunningham; Dodge City Brewing Company, LLC, in Dodge City, Kansas, owned by Larry and Sheri Cook; Connie's Mexico Café in Wichita, Kansas, owned by Carmen Rosales, Adele Jordan, Carla Rosales-Banuelos and Carmen Renteria; and The Marie Antoinette Gluten Free Baking Co., in Wathena, Kansas, owned by Rani Navarro-Force and Shawn Force; and

WHEREAS, The 2020 Kansas SBDC Exporting Businesses of the Year are: SkuTouch Solutions, LLC, in Lenexa, Kansas, owned by Doug Obershaw and Terry Obershaw; and Progressive Products, Inc., in Pittsburg, Kansas, owned by Todd Allison; and

WHEREAS, The Kansas SBDC Businesses of the Year serve as examples of the success that the Kansas SBDC and small business owners across Kansas can achieve: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize the Kansas

Small Business Development Center's 2020 Emerging, Existing and Exporting Businesses of the Year and wish the Kansas SBDC and America's SBDC continued success in the future; and

Be it further resolved: That the Secretary of the Senate shall send 18 enrolled copies of this resolution to Senator Holland.

On emergency motion of Senator Holland **SR 1766** was adopted unanimously.

On motion of Senator Denning, the Senate recessed until the sound of the gavel.

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

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 Masterson in the chair.

On motion of Senator Masterson the following report was adopted:

SB 255, SB 409 be amended by the adoption of the committee amendments, and the bills be passed as amended.

SB 225 be amended by the adoption of the committee amendments, be further amended by motion of Senator McGinn; on page 1, in line 9, by striking "inpatient"

SB 225 be further amended by motion of Senator Baumgardner; on page 3, in line 24, before the first "and" by inserting ", one member appointed by the president of the senate, one member appointed by the speaker of the house of representatives, one member from the office of the medicaid inspector general appointed by the attorney general"; and **SB 225** be passed as further amended.

A motion by Senator Baumgardner to amend **SB 225** failed.

SB 140 be amended by the adoption of the committee amendments, be further amended by motion of Senator Hardy; on page 1, in line 6, by striking "2018" and inserting "2019"; also in line 6, by striking "2024" and inserting "2025"; and **SB 140** be passed as further amended.

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 55, the following appointment submitted by the Governor to the Senate for confirmation was considered.

Senator Denning moved the following appointment be confirmed as recommended by the Committee on **Federal and State Affairs**.

By the Governor

On the appointment to the:

Adjutant General:

David Weishaar, At the pleasure of the governor

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, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Thompson, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Denning an emergency was declared by a 2/3 constitutional majority, and **SB 140, SB 225, SB 255, SB 409** were advanced to Final Action and roll call.

SB 140, AN ACT concerning taxation; relating to income and privilege tax; credits; establishing an Eisenhower foundation contribution credit.

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, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Thompson, Tyson, Wagle, Ware, Wilborn.

The bill passed, as amended.

SB 225, AN ACT concerning the hospital provider assessment; relating to assessment and use; rate; base; membership on the healthcare access improvement panel; amending K.S.A. 65-6208 and 65-6218 and repealing the existing sections.

On roll call, the vote was: Yeas 31; Nays 9; Present and Passing 0; 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, McGinn, Miller, Petersen, Pettey, Skubal, Sykes, Taylor, Wagle, Ware, Wilborn.

Nays: Baumgardner, Hilderbrand, Masterson, Olson, Pyle, Rucker, Suellentrop, Thompson, Tyson.

The bill passed, as amended.

SB 255, AN ACT concerning the university of Kansas medical center; relating to cancer center research; making and concerning appropriations for the fiscal year ending June 30, 2021.

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, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Thompson, Tyson, Wagle, Ware, Wilborn.

The bill passed, as amended.

SB 409, AN ACT concerning skilled nursing care facilities; relating to the quality care assessment imposed on such facilities; making such assessment permanent; amending K.S.A. 75-7435 and repealing the existing section.

On roll call, the vote was: Yeas 35; Nays 5; 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, Petersen, Pettey, Rucker, Skubal, Suellentrop, Sykes, Taylor, Wagle, Ware, Wilborn.

Nays: Hilderbrand, Olson, Pyle, Thompson, Tyson.

The bill passed, as amended.

CHANGE OF REFERENCE

An objection having been made to **HB 2595** appearing on the **Consent Calendar**, the Vice President directed the bill be removed and placed on the calendar under the heading of **General Orders**.

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Insurance** begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

Member, State Banking Board: K.S.A. 74-3004

Justin Nichols, to fill a term expiring on March 15, 2023

On motion of Senator Denning, the senate adjourned pro forma until 8:00 a.m. March 06, 2020.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

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