

Journal of the Senate

FORTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 28, 2022, 10:00 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 39 senators present.
Senator McGinn was excused.
Invocation by Reverend Cecil T. Washington:

Good Alignment Empowers Good Achievement
Psalms 33:12

Heavenly Father, in the Irving Berlin song “God Bless America” we ask that You stand beside her and guide her with Your light from above. And that's exactly what we need as we confront the questions and difficulties of life.

But Lord, in some ways we're like a vehicle with wheels out of alignment. When we're not aligned with You and your Word, we have problems trying to go straight because we're pulling to one side or the other and finding it difficult to stay on Your side.

Like tires that are not aligned, intellectually and emotionally we experience uneven wear and tear which in due course leads to breakdowns. Lord, You're made it clear that having good alignment is having alignment that is good. And since You are good, being aligned with You inspires and empowers achievement that is good.

So, Lord, please save us from the foolishness of thinking we can have genuine success without Your regular adjustments. Like a Master Mechanic, pull us up on Your rack and bring every wheel, every thought, attitude, action and habit into the alignment that's appropriate for Your blessings.

Your Word says in Psalm 33:12, “Blessed is the nation whose God is the Lord.”

I praise You and I thank You for that initial day and all the following days that you choose to haul me in for repairs.

In Jesus' Name, I pray, Amen!

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

SENATE CONCURRENT RESOLUTION No. **SCR 1624**—

By Senator Holland

A PROPOSITION to amend article 15 of the constitution of the state of Kansas by adding a new section thereto, requiring that certain individuals be mandated reporters of child abuse and neglect.

WHEREAS, This proposition to amend the constitution of the state of Kansas shall be known and may be cited as the Stop Protecting Pedophile Priests Amendment.

Now, therefore:

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 15 of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

"§ 17. Mandated reporters of child abuse and neglect. (a) Any law that requires persons who have reason to suspect that a child has been harmed as a result of physical, mental or emotional abuse or neglect or sexual abuse to report such suspicions as provided by law shall include the following persons as mandated reporters:

- (1) Any person providing medical care or treatment who is:
 - (A) Licensed by a state regulatory body to provide such services;
 - (B) engaged in postgraduate training programs for the provision of medical care or treatment approved by a state regulatory body; or
 - (C) the chief administrative officer of a medical care facility;
- (2) any person providing mental health services who is licensed or registered by a state regulatory body to provide such services, including, but not limited to, psychologists, psychotherapists, social workers, marriage and family therapists, behavioral analysts and professional counselors;
- (3) any person who is a teacher, school administrator or otherwise employed by an educational institution;
- (4) any person providing child care services who is licensed by a state regulatory body to provide such services or the employees of any such person;
- (5) any person who is a:
 - (A) Firefighter;
 - (B) emergency medical services personnel;
 - (C) law enforcement officer;
 - (D) juvenile intake and assessment worker;
 - (E) court services officer;
 - (F) community corrections officer; or
 - (G) case manager or mediator appointed as provided by law for alternative dispute resolution in family law matters involving children;
- (6) any person employed by or who works as a volunteer for any organization, whether for profit or not-for-profit, that provides social

services to pregnant teenagers, including, but not limited to, counseling, adoption services and pregnancy education and maintenance; and

(7) any person who is a duly ordained minister of religion or who is employed by or who works as a volunteer for any religious organization.

(b) No penitential communication privilege shall apply to any reporting requirements provided by law.

(c) As used in this section:

(1) "Duly ordained minister of religion" means a person who has been ordained, in accordance with the ceremonial ritual or discipline of a church, religious sect or organization established on the basis of a community of faith and belief, doctrines and practices of a religious character, to preach and to teach the doctrines of such church, sect or organization and to administer the rites and ceremonies thereof in public worship and who, as part of such person's regular and customary vocation, preaches and teaches the principles of religion and administers the ordinances of public worship as embodied in the creed or principles of such church, sect or organization; and

(2) "religious organization" means any organization, church, body of communicants or group gathered in common membership for mutual support and edification in piety, worship and religious observances or a society of individuals united for religious purposes at a definite place and such religious organization or society of individuals maintains an established place of worship within this state, has a regular schedule of services or meetings at least on a weekly basis and has been determined to be organized and created as a bona fide religious organization."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. The Stop Protecting Pedophile Priests Amendment would require that any state law that requires individuals to report suspected child abuse or neglect include duly ordained ministers and employees and volunteers of religious organizations in addition to those people who are currently mandated reporters under state law.

"A vote for the Stop Protecting Pedophile Priests Amendment would require that any state law that requires individuals to report suspected child abuse or neglect include duly ordained ministers and employees and volunteers of religious organizations in addition to those people who are currently mandated reporters under state law.

"A vote against the Stop Protecting Pedophile Priests Amendment would make no change regarding any state law requiring the reporting of suspected child abuse or neglect."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2022, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case such proposed amendment shall be submitted to the electors of the state at the special election.

MESSAGE FROM THE HOUSE

The following bills are stricken from the House Calendar in accordance with House Rule 1507: **SB 102, SB 377, SB 385, SB 399, SB 435.**

Announcing passage of **HB 2340, HB 2492, HB 2495, HB 2502; Sub HB 2504; Sub for Sub HB 2512; HB 2596, HB 2609; Sub HB 2615; HB 2631, HB 2697, HB 2716, HB 2717; Sub HB 2737.**

The House concurs in Senate amendments to **HB 2231.**

Announcing passage of **SB 12**, as amended; **SB 150**, as amended; **SB 161**, as amended; **SB 199**, as amended; **SB 405**, as amended; **SB 493**, as amended; **Sub SB 563**, as amended;

Announcing passage of **Sub SB 267**, as amended by **H Sub for Sub SB 267.**

The House accedes to the request of the Senate for a conference on **SB 215** and has appointed Representatives Huebert, Thomas and Stogsdill as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 313** and has appointed Representatives Proehl, Delperdang and Helgerson as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub for SB 261** and has appointed Representatives Rahjes, Smith, E. and Carlin as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 331** and has appointed Representatives Johnson, S., Croft and Neighbor as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 343** and has appointed Representatives Landwehr, Eplee and Ruiz, S. as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 446** and has appointed Representatives Proehl, Delperdang and Helgerson as conferees on the part of the House.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2340, HB 2492, HB 2495, HB 2502; Sub HB 2504; Sub for Sub HB 2512; HB 2596, HB 2609; Sub HB 2615; HB 2631, HB 2697, HB 2716, HB 2717; Sub HB 2737 were thereupon introduced and read by title.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Hilderbrand the Senate nonconcurred in the House

amendments to **SB 12** and requested a conference committee be appointed.

The President appointed Senators Hilderbrand, Gossage and Pettey as a conference committee on the part of the Senate.

On motion of Senator Olson the Senate nonconcurred in the House amendments to **Sub SB 34** and requested a conference committee be appointed.

The President appointed Senators Olson, Hilderbrand and Faust-Goudeau as a conference committee on the part of the Senate.

On motion of Senator Hilderbrand the Senate nonconcurred in the House amendments to **SB 200** and requested a conference committee be appointed.

The President appointed Senators Hilderbrand, Gossage and Pettey as a conference committee on the part of the Senate.

On motion of Senator Billinger the Senate nonconcurred in the House amendments to **H Sub Sub SB 267** and requested a conference committee be appointed.

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

On motion of Senator Alley, the Senate recessed until 4:00 p.m.

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

MESSAGE FROM THE HOUSE

The House accedes to the request of the Senate for a conference on **SB 453** and has appointed Representatives Landwehr, Eplee and Ruiz, S. as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub for SB 19** and has appointed Representatives Landwehr, Eplee and Ruiz, S. as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 479** and has appointed Representatives Barker, Arnberger and Ruiz, L. as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 12** and has appointed Representatives Concannon, Esau and Ousley as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **Sub SB 34** and has appointed Representatives Barker, Arnberger and Ruiz, L. as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 200** and has appointed Representatives Landwehr, Eplee and Ruiz, S. as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub for Sub SB 267** and has appointed Representatives Waymaster, Hoffman and Wolfe Moore as conferees on the part of the House.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Warren the Senate nonconcurred in the House amendments to **SB 150** and requested a conference committee be appointed.

The President appointed Senators Warren, Wilborn and Haley as a conference

committee on the part of the Senate.

On motion of Senator Olson the Senate nonconcurred in the House amendments to **SB 405** and requested a conference committee be appointed.

The President appointed Senators Olson, Hilderbrand and Faust-Goudeau as a conference committee on the part of the Senate.

On motion of Senator Wilborn the Senate nonconcurred in the House amendments to **Sub SB 563** and requested a conference committee be appointed.

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

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The President referred **HB 2717** to the Committee on Federal and State Affairs.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Hilderbrand moved the Senate concur in House amendments to **SB 348**.

SB 348, AN ACT concerning public health; relating to cosmetology; hair removal; exempting persons engaged in threading from the practice of cosmetology and the requirements thereof; amending K.S.A. 65-1901 and 65-1928 and repealing the existing sections.

On roll call, the vote was: Yeas 32; Nays 6; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Hawk, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Billinger, Holland, Holscher, Pettey, Sykes, Ware.

Absent or Not Voting: Haley, McGinn.

The Senate concurred.

Senator Kerschen moved the Senate concur in House amendments to **SB 451**.

SB 451, AN ACT concerning wildlife and parks; relating to permanent hunting licenses; removing the requirement to submit proof that a person is at least 1/16 American Indian by blood; amending K.S.A. 32-929 and repealing the existing section.

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

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Haley, McGinn.

The Senate concurred.

Senator Erickson moved the Senate concur in House amendments to **SB 493**.

SB 493, AN ACT concerning cities and counties; prohibiting the regulation of plastic and other containers designed for the consumption, transportation or protection of merchandise, food or beverages.

On roll call, the vote was: Yeas 26; Nays 12; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Hawk, Holland, Holscher, Pettey, Pittman, Ryckman, Sykes, Ware.

Absent or Not Voting: Haley, McGinn.

The Senate concurred.

CHANGE OF CONFERENCE

Senator Corson is appointed to replace Senator Haley as a member of the conference committee on **H Sub Sub SB 286**.

REPORT ON ENROLLED BILLS

SB 141; Sub SB 300; SB 330, SB 336, SB 367, SB 417, SB 419, SB 440, SB 448; Sub SB 450; SB 483, SB 506 reported correctly enrolled, properly signed and presented to the Governor on March 28, 2022.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Tuesday, March 29, 2022.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.

COREY CARNAHAN, *Secretary of the Senate*.

