

Journal of the Senate

THIRTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 8, 2016, 2:30 p.m.

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

The roll was called with 40 senators present.

Vice President King introduced guest chaplain, Rabbi Debbie Stiel, Topeka, who delivered the following invocation:

Dear God. We, throughout Your world, call You by many different names, yet we are one humanity. We are created by You, each person intentionally created as someone unique and different but also so alike. Open our hearts to listen to each other, to care about the views we don't share. It is so easy to be firmly rooted in what we know, in how we think. But You have given us a world with multiple truths and many vantage points so that we might learn and grow. Help us, then, to hear the voice and the view across the aisle, and down the street, and in the next neighborhood or county. May we relish diversity and reach consensus through concern for the other. And as we listen to those who may be different from us, may we remember that once we heard You teach "don't stand idly by while your neighbor bleeds" and "plead for the poor, the widow and the orphan." May we harken especially to those who don't have someone here to speak their cause. You remind us that a society is judged by how it treats its least fortunate and its minorities. We ask your blessing, God, on our state leaders and all gathered here today. Bless them with courage and strength, with insight and with open hearts and minds in order to do Your work and to help make our society great. Amen

The Pledge of Allegiance was led by Vice President King.

POINT OF PERSONAL PRIVILEGE

Senator Schmidt rose on a Point of Personal Privilege to introduce The Honorable Roey Gilad, Consul General of Israel to the Midwest. The Honorable Roey Gilad has served as the Consul General of Israel to the Midwest for the past two years. From the Consulate's headquarters in Chicago, Gilad is responsible for 11 states in the Midwest region. He is Israel's highest ranking official in the Midwest. During his 25+ year tenure with Israel's Ministry of Foreign Affairs, Gilad has served in various positions outside of Israel including: Second Secretary in Kenya, Media Counselor in The Hashemite Kingdom of Jordan and head of the Political Affairs Department in the UK. While in his native Israel, Gilad studied at Israel's National Defense College and was head of the Export Control Department of the Ministry of Foreign Affairs. Gilad has a Master's Degree in National Security at Haifa University; a Master's Degree in Middle Eastern Studies from Hebrew University in Jerusalem and a Bachelor's Degree in Middle

Eastern Studies from Tel Aviv University. He served as a Staff Sergeant in the artillery forces of the Israel Defense Forces.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 492, AN ACT concerning insurance; relating to motor vehicle liability insurance; notification of cancellation of policy; amending K.S.A. 2015 Supp. 40-3118 and repealing the existing section, by Committee on Ways and Means.

SB 493, AN ACT concerning the department of commerce; relating to administrative cost recovery fees for department-administered community finance, economic development and tax incentive programs; amending K.S.A. 74-5060 and K.S.A. 2015 Supp. 12-17,164, 74-50,150 and 76-7,141 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 494, AN ACT consolidating the payrolls of the state board of regents and the state educational institutions; amending K.S.A. 75-5516 and repealing the existing section, by Committee on Ways and Means.

SB 495, AN ACT concerning health and healthcare; eliminating medical assistance coverage for elective induced labor prior to 39 weeks of pregnancy, by Committee on Ways and Means.

SB 496, AN ACT concerning healthcare and healthcare providers; relating to the healing arts; licensure of telemedicine providers; amending K.S.A. 2015 Supp. 65-2809 and repealing the existing section, by Committee on Ways and Means.

SB 497, AN ACT concerning healthcare and healthcare providers; relating to birth risk factor screening for pregnant women; powers, duties and functions of the Kansas department for health and environment, by Committee on Ways and Means.

SB 498, AN ACT act concerning state agencies; relating to sale of surplus real estate; providing for a project manager for such sales; amending K.S.A. 2015 Supp. 75-6609 and repealing the existing section, by Committee on Ways and Means.

SB 499, AN ACT concerning school districts; relating to the department of administration; procurement of certain items and services; amending K.S.A. 2015 Supp. 72-6760 and repealing the existing section, by Committee on Ways and Means.

SB 500, AN ACT concerning income taxation; relating to credits; eliminating the community service program credit; amending K.S.A. 2015 Supp. 79-32,196 and repealing the existing section; also repealing K.S.A. 2015 Supp. 79-32,199a and 79-32,199b, by Committee on Ways and Means.

SB 501, AN ACT concerning state employees; establishing a performance based bonus program, by Committee on Ways and Means.

SB 502, AN ACT establishing an annual Kansas ideas festival by state employees for efficiency savings in state government, by Committee on Ways and Means.

SB 503, AN ACT concerning the department of corrections; relating to community corrections; court services, by Committee on Ways and Means.

SB 504, AN ACT establishing the the parole and community corrections nursing home task force, by Committee on Ways and Means.

SB 505, AN ACT concerning education; relating to the financing thereof; relating to unencumbered cash balances held by school districts, by Committee on Ways and Means.

SB 506, AN ACT concerning economic development, relating to the high performance incentive program, credit sunset, training; amending K.S.A. 2015 Supp. 79-32,160a and 79-32,264 and repealing the existing sections, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Commerce: **SB 488**.

Financial Institutions and Insurance: **HB 2134**.

Natural Resources: **SB 491**.

Public Health and Welfare: **SB 489, SB 490**.

MESSAGE FROM THE HOUSE

Announcing adoption of **HCR 5026**.

HCR 5026, A CONCURRENT RESOLUTION recognizing the following celebrations and observances in support of organ, eye, tissue, bone marrow, stem cell and cord blood donation and transplantation, and to express gratitude for those who have already given the gift of life. In March, Kansans observe National Eye Donor Month and National Kidney Month. In April, Kansans observe Donate Life Month and on April 15, Kansas will join the rest of the nation to celebrate National Donate Life Blue and Green Day, where the public will be asked to wear their best blue and green outfits in support of giving the gift of life and sight, was introduced and read by title.

On emergency motion of Senator Faust-Goudeau, **HCR 5026** was adopted by voice vote.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Holland, Abrams, Arpke, Baumgardner, Bowers, Denning, Faust-Goudeau, Francisco, Haley, Hawk, Hensley, Holmes, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pyle, V. Schmidt, Wilborn and Wolf introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1774—

A RESOLUTION recognizing the Kansas Small Business
Development Center's 2016 Businesses of the Year.

WHEREAS, The mission of the Kansas Small Business Development Center (SBDC) is to increase economic prosperity in Kansas by helping entrepreneurs and small business owners start and grow their businesses through professional consulting and 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 one Exporting Business of the Year recipient; 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 impact 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 2016 Kansas SBDC Emerging Businesses of the Year are: Athletic Testing Solutions in Overland Park, Kansas, owned by David Kuluva and Eric Schroeder; Brickhouse Antiques in Topeka, Kansas, owned by Tom and Mary Norskov; Chisholm Trail Outfitters, LLC, in Hillsboro, Kansas, owned by Craig Dodd; Duck Salt in Greensburg, Kansas, owned by Matthew Deighton; Kids Calendar in Lawrence, Kansas, owned by Beth McKeon; Sake2me Sushi Rolls, LLC, in Hays, Kansas, owned by Michael Huskey and Stacie Rupp; Sleep Inn & Suites in Fort Scott, Kansas, owned by Bill Michaud; and Sleoptopia in Wichita, Kansas, owned by Kevin Kunz; and

WHEREAS, The 2016 Kansas SBDC Existing Businesses of the Year are: B&P, Inc., in Holton, Kansas, owned by Brett and Carly Fletcher; Colby Glass & Sign Co., Inc., in Colby, Kansas, owned by Rod Rodenbeck; CTe Learning in Olathe, Kansas, owned by Steve Waddell; DV Enterprises, LLC, in Liberal, Kansas, owned by Don and Vicky Brunkhardt; Eric Fisher Academy, Inc., in Wichita, Kansas, owned by Eric and Mary Fisher; Medicine Shoppe Pharmacy in Emporia, Kansas, owned by Amber Haag; Progressive Products, Inc., in Pittsburg, Kansas, owned by Todd Allison; and The Gun Guys in Ottawa, Kansas, owned by Tim VanLeiden; and

WHEREAS, The 2016 Kansas SBDC Exporting Business of the Year is Custom Storefronts, Inc., in Olathe, Kansas, owned by Jon Roberts; 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 2016 Emerging, Existing and Exporting Businesses of the Year and wish all of them and the Kansas SBDC continued success in the future; and

Be it further resolved: That the Secretary of the Senate shall send 20 enrolled copies of this resolution to Senator Holland.

On emergency motion of Senator Holland **SR 1774** was adopted unanimously.

The senators honored the Small Business Award winners with a standing ovation.

Senator V. Schmidt introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1775—

A RESOLUTION designating May 2016 as Cystic Fibrosis Awareness Month.

WHEREAS, Cystic fibrosis, commonly referred to as "CF," is a genetic disease affecting approximately 30,000 children and adults in the United States and nearly 70,000 children and adults worldwide, 366 of whom live in the state of Kansas; and

WHEREAS, A defective gene causes the body to produce an abnormally thick, sticky mucus that clogs the lungs, and these secretions produce life-threatening lung infections and obstruct the pancreas, preventing digestive enzymes from reaching the intestines to help break down and absorb food; and

WHEREAS, More than 10 million Americans are symptomless carriers of the defective CF gene, and CF occurs in approximately one of every 3,500 live births in the

United States; and

WHEREAS, The median age of survival for a person with CF is 39.3 years; and

WHEREAS, Despite advances in the treatment of CF, the number of adults with CF has steadily grown, and approximately 900 new cases of CF are diagnosed each year; and

WHEREAS, Fifty percent of the CF population is 18 years of age and older, and people with CF have a variety of symptoms attributed to the more than 1,800 mutations of the CF gene; and

WHEREAS, Infant blood screening to detect genetic defects is the most reliable and least costly method to identify persons likely to have CF; and

WHEREAS, Early diagnosis of CF permits early treatment and enhances quality of life and longevity. The treatment of CF depends on the stage of the disease and the organs involved; and

WHEREAS, Clearing mucus from the lungs is an important part of the daily CF treatment regimen. Other types of treatments include inhaled antibiotics and pancreatic enzymes, among others; and

WHEREAS, There are four world-class treatment centers in the state of Kansas which specialize in the diagnosis of CF and the care of persons with CF; and

WHEREAS, A critical component of treating patients with CF includes access to innovative treatments, which can play a crucial role in the lives of patients with CF; and

WHEREAS, Improving the length and quality of life for people with CF starts with awareness: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we designate May 2016 as Cystic Fibrosis Awareness Month; and

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

On emergency motion of Senator V. Schmidt **SR 1775** was adopted unanimously.

Guests introduced were Scott Wedman, Linda Wedman, Larry Wedman and Phyllis Chesbro. The Senate honored the guests with a standing ovation.

CHANGE OF REFERENCE

The Vice President withdrew **HB 2087** from the Committee on **Federal and State Affairs**, and referred the bill to the Committee on **Ways and Means**.

The Vice President withdrew **HB 2088** from the Committee on **Federal and State Affairs**, and referred the bill to the Committee on **Assessment and Taxation**.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **Substitute for HB 2062** be amended on page 6, in line 3, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 422** be amended on page 2, in line 5, by striking "mental health or";

On page 5, in line 39, by striking "persons" and inserting "providers";

On page 6, in line 2, after "facility" by inserting "or service";

On page 10, in line 9, after the period by inserting "Access shall be given to the premises of a facility that is a private residence only for cause as prescribed by rules and regulations adopted under the provisions of this act.";

On page 13, in line 36, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Also, **SB 445** be amended on page 2, in line 13, by striking "aging and disability resource centers" and inserting "area agencies on aging"; in line 23, by striking "aging and disability resource centers" and inserting "area agencies on aging"; in line 26, by striking "aging and disability resource center" and inserting "area agency on aging"; in line 39, by striking "aging and disability resource center" and inserting "area agency on aging"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 404** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Bruce, the Senate recessed until the sound of the gavel for the purpose of introduction of bills.

On motion of Senator Smith, the Senate adjourned until 2:30 p.m., Wednesday, March 9, 2016.

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

