

Journal of the Senate

SIXTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 31, 2017, 2:30 p.m.

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

Lord, God of Heaven and earth, we've come to the end of our first month of the new year...the first month of this new legislative session. There's much ground yet to be covered, but it's encouraging to know that we can lean on You as we go forward. In fact, You've indicated that it's not wise to lean on any other. Back in 1972, Bill Withers came up with a song, where the singer was saying "Lean on Me" and I'll help you carry on. But he went on to say that it wouldn't be long before he'd need somebody to lean on. In the wisdom, You've given us through Solomon, Proverbs 3:5-7, You let us know that we're not to lean on our human understanding or try to be wise in our own eyes. But if we acknowledge You in all our ways, You promised to show us the paths to take. So, Lord, as we press forward, help us to hear Your voice, calling us to lean on You, that You'd help us carry on. Thanks for Your loving direction and protection. In Jesus Name, Amen.

The Pledge of Allegiance was led by Vice President Longbine.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 102, AN ACT concerning counties; relating to the abatement of nuisances, by Committee on Federal and State Affairs.

SB 103, AN ACT dealing with secretary of state; prohibiting certain political activities, by Committee on Federal and State Affairs.

SB 104, AN ACT concerning state governmental ethics; dealing with lobbyists; amending K.S.A. 46-237 and repealing the existing section, by Committee on Federal and State Affairs.

SB 105, AN ACT concerning campaign finance; prohibiting certain contributions by contractors with public entities, by Committee on Federal and State Affairs.

SB 106, AN ACT concerning elections; dealing with campaign finance; relating to the KanCare program, by Committee on Federal and State Affairs.

SB 107, AN ACT concerning the attorney general; relating to legal representation charges; legal services; creating the attorney general's state agency representation fund, by Committee on Federal and State Affairs.

SB 108, AN ACT concerning firearms; relating to the personal and family protection

act; relating to public employer liability; amending K.S.A. 2016 Supp. 75-7c10 and repealing the existing section, by Committee on Federal and State Affairs.

SB 109, AN ACT concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, by Committee on Joint Committee on Special Claims Against the State.

SB 110, AN ACT concerning the state board of regents; relating to supplemental health insurance coverage; authorizing the purchase thereof for certain state employees; amending K.S.A. 2016 Supp. 75-4101 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 111, AN ACT concerning sales and use taxation; relating to the administration thereof; required notices and reports, by Committee on Assessment and Taxation.

SB 112, AN ACT concerning crimes, punishment and criminal procedure; relating to controlled substances; unlawful possession of drug paraphernalia; penalty; amending K.S.A. 2016 Supp. 21-5709 and repealing the existing section, by Committee on Judiciary.

SB 113, AN ACT concerning crimes, punishment and criminal procedure; relating to burglary; amending K.S.A. 2016 Supp. 21-5807 and repealing the existing section, by Committee on Judiciary.

SB 114, AN ACT concerning the revised Kansas code for care of children; relating to rules of evidence; admissibility of certain test results; amending K.S.A. 2016 Supp. 38-2249 and repealing the existing section, by Committee on Judiciary.

SB 115, AN ACT concerning state finances; relating to the investments and reinvestments of state moneys; transfers to and from the state general fund; amending K.S.A. 2016 Supp. 75-2263, 75-4209 and 75-4234 and repealing the existing sections, by Committee on Ways and Means.

SB 116, AN ACT concerning taxation; repealing certain obsolete or expired sections and revising certain sections related thereto; amending K.S.A. 2016 Supp. 74-50,136, 74-8947, 75-4275, 79-225, 79-255, 79-32,117, 79-32,138, 79-32,143a, 79-32,264, 79-32,266 and 79-4502 and repealing the existing sections; also repealing K.S.A. 79-32,117a, 79-32,117b, 79-32,117c, 79-32,117d, 79-32,117e, 79-32,181 and 79-32,192 and K.S.A. 2016 Supp. 79-1705, 79-32,181a, 79-32,203, 79-32,206, 79-32,214, 79-32,215, 79-32,238, 79-32,239, 79-32,240, 79-32,241 and 79-32,244, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 100**.

Federal and State Affairs: **SB 98**.

Judiciary: **SB 101**.

Public Health and Welfare: **HB 2025, HB 2027, HB 2028**.

Transportation: **SB 99**.

CHANGE OF REFERENCE

An objection having been made to **SB 28, SB 30** appearing on the **Consent Calendar**, the Vice President directed the bills be removed and placed on the calendar

under the heading of **General Orders**.

COMMUNICATIONS FROM STATE OFFICERS

January 31, 2017

Commissioner of Insurance, Ken Selzer, submitted the 2016 Annual Report of the Kansas Workers Compensation Fund.

The Vice President announced this report is on file in the office of the Secretary of the Senate and available for review at any time.

CONSIDERATION OF APPOINTMENTS

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

Senator Denning moved the following appointment be confirmed as recommended by the Committee on **Financial Institutions and Insurance**.

By the Governor

On the appointment to the:

Office of the State Banking Commissioner:

Michelle Bowman, 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, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, LaTurner, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

The appointment was confirmed.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 84** be passed.

Also, **SB 77** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Transportation** recommends **SB 5** be amended on page 2, in line 23, by striking "and"; in line 26, before the period by inserting "; and (iv) the individual has not previously applied for and received a restricted driver's license pursuant to this section after June 30, 2017"; in line 43, by striking "and";

On page 3, in line 2, after "court" by inserting "; and (v) in going directly to or from any religious worship service held by a religious organization. "Religious organization" shall have the same meaning as defined in K.S.A. 8-234a, and amendments thereto";

On page 4, following line 3, by inserting:

"Sec. 2. K.S.A. 8-298 is hereby amended to read as follows: 8-298. (a) The division of vehicles shall accept any voluntary surrender of a driver's license by the licensee.

(b) A licensee may surrender such licensee's driver's license at any driver license examination station and such driver's license shall be forwarded to the division. Upon

surrender of such driver's license, the division shall note on the person's driving record that such driver's license has been voluntarily surrendered.

(c) Nothing herein shall prohibit a person from applying or the division from granting a new driver's license upon application of such person, if the person is otherwise eligible to apply for a driver's license. No person who has voluntarily surrendered such person's driver's license shall be eligible to apply for a new license for a period of at least ~~90~~ 60 days.

(d) The voluntary surrender of a driver's license under this section shall not affect the authority of the division or of a court to suspend, revoke, cancel or withdraw the person's driving privileges or the privilege to obtain a driver's license under any other statute or ordinance.

(e) This section shall be part of and supplemental to the motor vehicle drivers' license act.";

Also on page 4, in line 4, before "K.S.A" by inserting "K.S.A. 8-298 and"; also in line 4, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "voluntary surrender;"; also in line 2, after "amending" by inserting "K.S.A. 8-298 and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

On motion of Senator Denning, the Senate adjourned until 2:30 p.m., Wednesday, February 1, 2017.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

