

# Journal of the Senate

## SEVENTEENTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Wednesday, February 1, 2017, 2:30 p.m.

The Senate was called to order by President Susan Wagle.  
The roll was called with 39 senators present.  
Senator Wilborn was excused.  
Invocation by Reverend Cecil T. Washington:

Dear God, our Creator...our Sustainer of life...our Provider; Once again, we're able to stand within these walls...these halls of freedom. It was through blood, sweat and tears; through pain and much suffering, that You enabled us to acquire the freedoms that we enjoy today. Give us Your wisdom and Your guidance as we strive to maintain those freedoms. Lord, we're blessed today, to see in this land of the free, indications of an improved economy. You said in Proverbs 11:11, that the good influence of godly citizens causes a city to prosper, but the moral decay of the wicked drives it downhill. You said in Proverbs 14:34 that righteousness elevates a people, while ungodliness denigrates them. In a moment, Lord, we'll be pledging allegiance to our flag...that symbol of the freedoms that we hold so dear. We thank You Master, for the abundance of blessings that we enjoy today. Help us now, to not forget where they come from. Help us to remember Your commands that Your righteousness might prevail, that under God, Your people may rejoice. In the name of our Lord, Amen and Amen.

The Pledge of Allegiance was led by President Wagle.

### POINT OF PERSONAL PRIVILEGE

Senator Alley rose on a Point of Personal Privilege to recognize Gina Hoffman, South Central Region Special Education Teacher of the Year. Also introduced were Roy Hoffman and Jaci Hoffman.

The senators honored Gina with a standing ovation.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**SB 117**, AN ACT concerning agriculture; relating to noxious weeds; declaration by county commissioners; amending K.S.A. 2-1314b and repealing the existing section, by Committee on Agriculture and Natural Resources.

**SB 118**, AN ACT concerning elections; dealing with voter registration; amending K.S.A. 2016 Supp. 22-3722 and repealing the existing section, by Committee on Ethics, Elections and Local Government.

**SB 119**, AN ACT concerning telecommunications; relating to the Kansas universal

service fund, distributions; Kansas lifeline service; amending K.S.A. 2016 Supp. 66-2006 and 66-2008 and repealing the existing sections, by Committee on Utilities.

**SB 120**, AN ACT concerning the Kansas uniform securities act; updating references to the federal securities act of 1933; amending K.S.A. 2016 Supp. 17-12a302 and 17-12a402 and repealing the existing sections, by Committee on Judiciary.

**SB 121**, AN ACT concerning crimes, punishment and criminal procedure; relating to firearms, possession thereof; amending K.S.A. 2016 Supp. 21-6304 and 21-6614 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 21-6614g and 21-6614h, by Committee on Judiciary.

**SB 122**, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal discharge of a firearm; sentencing; amending K.S.A. 2016 Supp. 21-6308 and 21-6804 and repealing the existing sections, by Committee on Judiciary.

**SB 123**, AN ACT concerning driving; relating to driving under the influence of alcohol or drugs; suspension or restriction of driving privileges; amending K.S.A. 2016 Supp. 8-1014 and 8-1015 and repealing the existing sections, by Committee on Judiciary.

**SB 124**, AN ACT concerning the Kansas family law code; relating to child custody, residency and parenting time; evidence of domestic abuse; amending K.S.A. 2016 Supp. 23-3201 and 23-3203 and repealing the existing sections, by Committee on Judiciary.

**SB 125**, AN ACT concerning civil actions; relating to wrongful conviction; wrongful execution; compensation, by Committee on Judiciary.

**SB 126**, AN ACT concerning child care facilities; relating to individuals maintaining or residing, working or volunteering therein; background checks; amending K.S.A. 2016 Supp. 65-516 and repealing the existing section, by Committee on Public Health and Welfare.

**SB 127**, AN ACT regulating traffic; concerning escort vehicles, annual registration, by Committee on Transportation.

**SB 128**, AN ACT concerning crimes, punishment and criminal procedure; relating to hate crimes; sentencing; reporting requirements; amending K.S.A. 2016 Supp. 21-6804 and 21-6815 and repealing the existing sections, by Senator Haley.

**SB 129**, AN ACT concerning property taxation; relating to certain property located within a federal enclave; authorizing the board of county commissioners to grant an exemption from property taxes, by Committee on Assessment and Taxation.

**SB 130**, AN ACT concerning the cigarette and tobacco products act; relating to consumable material; amending K.S.A. 2016 Supp. 79-3302 and 79-3399 and repealing the existing sections, by Committee on Assessment and Taxation.

**SB 131**, AN ACT concerning mental healthcare facilities; relating to Larned state hospital, Osawatomie state hospital and other facilities; privatization; prohibition thereof; amending K.S.A. 76-12a07 and K.S.A. 2016 Supp. 75-3373 and repealing the existing sections, by Senators Tyson, Baumgardner, Bollier, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Holland, Kelly, Kerschen, McGinn, Pettey, Rogers, V. Schmidt, Skubal, Sykes, Taylor and Wilborn.

**SB 132**, AN ACT concerning the regional system of cooperating libraries; amending K.S.A. 2016 Supp. 75-2550 and repealing the existing section, by Committee on Ethics, Elections and Local Government.

**SB 133**, AN ACT enacting the Kansas employer e-verify accountability act, by

Committee on Federal and State Affairs.

**SB 134**, AN ACT concerning employment security law; misclassification of employees; relating to the penalty for violations; amending K.S.A. 2016 Supp. 44-766 and repealing the existing section, by Committee on Federal and State Affairs.

**SB 135**, AN ACT concerning the department of revenue; relating to driver's license examiners, unclassified service; amending K.S.A. 2016 Supp. 74-2015 and repealing the existing section, by Committee on Federal and State Affairs.

**SB 136**, AN ACT concerning crimes, punishment and criminal procedure; relating to expungement; arrest records; amending K.S.A. 2016 Supp. 22-2410 and repealing the existing section, by Committee on Judiciary.

**SB 137**, AN ACT concerning retirements and pensions; relating to the Kansas police and firemen's retirement system; providing certain death benefits to surviving spouses; amending K.S.A. 74-4959 and repealing the existing section, by Committee on Ways and Means.

**SB 138**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; employment after retirement; earnings limitation; exemptions; amending K.S.A. 2016 Supp. 46-2201, 74-4914 and 74-4937 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 74-4914f, by Committee on Ways and Means.

**SB 139**, AN ACT repealing K.S.A. 2016 Supp. 60-5311, 60-5312 and 60-5313; concerning the exercise of religious freedom by postsecondary student associations, by Committee on Federal and State Affairs.

**SB 140**, AN ACT concerning sales taxation; relating to exemptions; Kansas dui impact center, inc.; active aging publishing, inc.; amending K.S.A. 2016 Supp. 79-3606 and repealing the existing section, by Committee on Federal and State Affairs.

**SB 141**, AN ACT concerning criminal procedure; relating to municipal courts; relating to appearance bonds; amending K.S.A. 12-4301 and K.S.A. 12-4303 and repealing the existing sections, by Committee on Judiciary.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 111**, **SB 116**.

Ethics, Elections and Local Government: **SB 102**, **SB 103**, **SB 104**, **SB 105**, **SB 106**.

Federal and State Affairs: **SB 108**.

Financial Institutions and Insurance: **SB 110**.

Judiciary: **SB 107**, **SB 112**, **SB 113**, **SB 114**.

Ways and Means: **SB 109**, **SB 115**.

## CHANGE OF REFERENCE

The President withdrew **SB 72** from the Committee on **Public Health and Welfare**, and referred the bill to the Committee on **Judiciary**.

## 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 V. Schmidt in the chair.

On motion of Senator V. Schmidt the following report was adopted:

**SB 28, SB 30, SB 43** be passed.

**SB 22** be amended by the adoption of the committee amendments, and the bill be passed as amended.

#### **REPORTS OF STANDING COMMITTEES**

Committee on **Agriculture and Natural Resources** recommends **SB 25** be passed.

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

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

