

Journal of the Senate

FORTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 14, 2017, 2:30 p.m.

The Senate was called to order by President Susan Wagle.

The roll was called with 39 senators present.

Senator Schmidt was excused.

President Wagle introduced guest chaplain Captain Scot Kerns, Wing Chaplain, Kansas Wing Civil Air Patrol, to deliver the invocation:

I invite you all to pray with me.

Almighty God, You rule over all. All authority comes from You. It comes from You to those servants who make and administer our laws.

In Your Holy Word it says, "Let every person be subject to the governing authorities. For there is no authority except from God, and those that exist have been instituted by God."

So it is then that we pray for these Your servants of the Kansas Senate. We ask that you guide them in their matters of deliberation and as they make decisions that they would benefit all residents of this state.

Residents of Kansas including all the volunteers of the Civil Air Patrol. It is the dedicated volunteers of Kansas Wing Civil Air Patrol, whom distinguish themselves in service to their communities, the state and our nation. We pray for all those of the Civil Air Patrol, the official auxiliary of the United States Air Force. We give thanks for all servants of the Civil Air Patrol who are dedicated to giving back to the communities through its three missions - Emergency Services, Aerospace Education, and Cadet Programs.

Here now I pray that together all as servants - we might see how You finally came to serve us. I pray that all might always look to You, the Chief Servant, the Lord, Jesus Christ till that life everlasting. Amen

The Pledge of Allegiance was led by President Wagle.

POINT OF PERSONAL PRIVILEGE

Senator Bowers rose on a Point of Personal Privilege to recognize members of the Kansas Wing Civil Air Patrol visiting the Capitol. The Civil Air Patrol consists of over 30,000 adults and 20,000 youth members nation-wide.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 228, AN ACT enacting the Kansas medicaid reform act; relating to requirements

for services and supports provided under the Kansas program of medical assistance; requiring legislative approval prior to certain changes to the Kansas program of medical assistance, by Committee on Ways and Means.

SB 229, AN ACT concerning elections; relating to election commissioners; amending K.S.A. 19-3419 and repealing the existing section, by Committee on Ways and Means.

Senators Pilcher-Cook, Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Givens, Goddard, Hawk, Kerschen, LaTurner, Lynn, Masterson, Olson, Petersen, Pyle, Suellentrop, Sykes, Taylor, Tyson, Wagle and Wilborn introduced the following Senate resolution, which was read:

SR 1723, A RESOLUTION recognizing that pornography is a public health hazard that leads to a broad spectrum of individual and public health impacts and societal harms, by Senators Pilcher-Cook, Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Givens, Goddard, Hawk, Kerschen, LaTurner, Lynn, Masterson, Olson, Petersen, Pyle, Suellentrop, Sykes, Taylor, Tyson, Wagle and Wilborn.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **SB 226**.

Financial Institutions and Insurance: **SB 227**.

REFERENCE OF BILLS AND RESOLUTIONS

The President referred **SR 1723** to the Committee on **Federal and State Affairs**.

REFERENCE OF APPOINTMENTS

The following appointments made by the Governor and submitted to the Senate for confirmation, were referred to Committees as indicated:

Chief Hearing Officer, State Board of Tax Appeals:

Arlen Siegfried, to serve Term ends January 15, 2021.

(Committee on Assessment and Taxation)

Board Member - 3, Kansas Development Finance Authority:

Nancy Toelkes, to serve Term ends January 15, 2019.

(Committee on Ways and Means)

Member - 4 (Gov. Appointed), Kansas Public Employees Retirement Board of Trustees:

Kelly Arnold, to serve Term ends January 15, 2021.

(Committee on Ways and Means)

Member - 1, State Board of Tax Appeals:

Ronald Mason, to serve Term ends January 15, 2021.

(Committee on Assessment and Taxation)

General Officer, Kansas Army National Guard:

John Rueger, to serve None.

(Committee on Federal and State Affairs)

Commander, Kansas Air National Guard:

David Weishaar, to serve None.

(Committee on Federal and State Affairs)

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Holland, Baumgardner, Billinger, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hawk, Kelly, Kerschen, LaTurner, Longbine, Lynn, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Rogers, V. Schmidt, Skubal and Suellentrop introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1721—

A RESOLUTION recognizing the Kansas Small Business
Development Center's 2017 Businesses of the Year.

WHEREAS, The mission of the Kansas Small Business Development Center (SBDC), a 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 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 award 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 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 2017 Kansas SBDC Emerging Businesses of the Year are: Cowgirl Creations and Design in Saint Francis, Kansas, owned by Allison Grice; Gorilla Country in Pittsburg, Kansas, owned by Steve Scott; HECO Heating & Cooling, LLC, in Liberal, Kansas, owned by Rafael Figueroa; Limestone Pizza Kitchen Bar in Lawrence, Kansas, owned by Debbie Rascoll and Rick Martin; Mulready's Pub in Emporia, Kansas, owned by Rick Becker; Reverie Coffee Roasters in Wichita, Kansas, founded by Andrew Gough; Sprout Communications in Topeka, Kansas, owned by Caleb Asher; and Town Square in Paola, Kansas, owned by Michelle A. Kaiser; and

WHEREAS, The 2017 Kansas SBDC Existing Businesses of the Year are: Audacious Boutique in Iola, Kansas, owned by Kelly Sigg; Heartland Mill, Inc., in Marienthal, Kansas, owned by Mark Nightengale; Jason Wright Electric in Olathe, Kansas, owned by Jason Wright; Primary Color Music in Lawrence, Kansas, owned by Sam Billen; PWI, Inc., in Wichita, Kansas, owned by Judy Baldwin and Robi Lorik; Quality Profile Services, Inc., in Council Grove, Kansas, owned by John and Karen True; Second Chance Ranch in Goodland, Kansas, owned by Todd Trzcinski; and Toto's Tacoz! in Wamego, Kansas, owned by Craig and Colleen Lord; and

WHEREAS, The 2017 Kansas SBDC Exporting Business of the Year is GT Manufacturing, Inc., in Clay Center, Kansas, owned by James Sampson and Dennis Pedersen; 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 2017 Emerging, Existing and Exporting Businesses of the Year and wish all of them, 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 20 enrolled copies of this resolution to Senator Holland.

On emergency motion of Senator Holland **SR 1721** was adopted unanimously. The senate honored the Small Business owners with a standing ovation.

Senator Billinger introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1722—

A RESOLUTION honoring the 50th anniversary of the Valley Hope Treatment Center.

WHEREAS, The Valley Hope Association is one of the largest non-profit alcohol and drug treatment providers in the nation; and

WHEREAS, Since Valley Hope Association opened its doors with the Valley Hope Treatment Center in Norton, Kansas, in 1967, they have touched the lives of over 400,000 individuals and their family members; and

WHEREAS, Valley Hope was built on the belief that alcoholism and drug addiction are treatable chronic diseases, and that treatment should focus on helping individuals recover physically, mentally and emotionally, with programming that is centered on love, dignity and respect; and

WHEREAS, The Valley Hope Association continues to make significant contributions to the prevention, intervention and treatment of alcohol and drug abuse in Kansas: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we honor the 50th anniversary of the Valley Hope Treatment Center; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Billinger.

On emergency motion of Senator Billinger **SR 1722** was adopted unanimously.

Valley Hope Center CEO, Pat George, and members of the staff were introduced.

The senate honored the guests with a standing ovation.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2387**.

Announcing adoption of **HCR 5012**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2387 were thereupon introduced and read by title.

JOINT SESSION

HCR 5012, providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Supreme Court, was introduced and read by title.

On emergency motion of Senator Denning, **HCR 5012** was adopted by voice vote.

The President appointed Senator Wilborn and Senator Haley to escort the Supreme Court.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2066** be passed.

Also, **HB 2079**, as amended by House Committee, be passed.

HB 2080 be amended on page 1, in line 17, by striking all after "minutes"; by striking all in line 18; in line 19, by striking all before the period; in line 22, after "to" by inserting "hold office as a director,."; and the bill be passed as amended.

Committee on **Education** recommends **HB 2164** be passed.

Committee on **Ethics, Elections and Local Government** recommends **HB 2013**, as amended by House Committee, be passed.

Committee on **Federal and State Affairs** recommends **SB 201** be passed.

Committee on **Ways and Means** recommends **HB 2052** be amended by substituting a new bill to be designated as "Senate Substitute for Substitute for HOUSE BILL NO. 2052," as follows:

"Senate Substitute for Substitute for HOUSE BILL NO. 2052

By Committee on Ways and Means

"AN ACT making and concerning appropriations for the fiscal years ending June 30, 2017, June 30, 2018, June 30, 2019, June 30, 2020, June 30, 2021, June 30, 2022, June 30, 2023, June 30, 2024, and June 30, 2025, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2016 Supp. 74-4920, 75-2263, 75-2319, 75-4209 and 75-6706 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 75-2319d.";

And the substitute bill be passed.

Also, **SB 109** be amended on page 1, in line 7, by striking "year" and inserting "years"; also in line 7, after "2017" by inserting ", June 30, 2018, June 30, 2019, June 30, 2020, June 30, 2021 and June 30, 2022"; by striking all in lines 34 through 36; and the bill be passed as amended.

On motion of Senator Denning, the Senate adjourned until 2:30 p.m., Wednesday, March 15, 2017.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

