

Journal of the Senate

FIFTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, April 3, 2017, 10:00 a.m.

The Senate was called to order by President Susan Wagle.

The roll was called with 39 senators present.

Senator Masterson was excused.

Invocation by Reverend Cecil T. Washington:

Heavenly Father, many have been praying for rain. And, Lord, You have richly provided. You've significantly reduced the need, the costs and labor, aimed at irrigation.

We know, by Your words, in Job 5:10, You send the rain to water the fields. And in Genesis 1:16, You made the sun to give us the light we need.

Now, Lord, please grant to us a steady balance of both. With Your blessings, we look forward to healthy crops, with far reaching benefits.

And, Lord, turning to the subject of health care, we want and need it; as our spirit, mind and bodies lean toward failing us. But there's division as we struggle over how to provide it; particularly for the neediest. Please provide wisdom, guidance and resources.

And, Lord, with all the craziness going on; although You didn't bless us to make the Final Four, bless those that did. As many come to enjoy or are saddened over the results, please provide safety for the teams, for the officials and for the crowds in attendance.

I humbly bow at Your throne of grace. In Jesus' Name, Amen and Amen.

The Pledge of Allegiance was led by President Susan Wagle.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 243, AN ACT concerning reports relating to impaired health care providers; amending K.S.A. 65-4924 and repealing the existing section, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **HB 2319**, **HB 2362**.

Judiciary: **HB 2391**.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Wilborn the Senate nonconcurred in the House amendments to

SB 149 and requested a conference committee be appointed.

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

On motion of Senator Denning, the Senate recessed until 2:00 p.m.

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

MESSAGE FROM THE HOUSE

The following bills were stricken from the calendar in accordance with House Rule 1507 on March 30, 2017: **SB 47, SB 78; H Sub Sub SB 8;**

Announcing the House herewith transmits the veto message from the Governor on **HB 2044,**

AN ACT concerning the department of health and environment; establishing the KanCare bridge to a healthy Kansas program; concerning clubhouse-based psychosocial rehabilitation programs., received and read on on March 30, 2017.

MESSAGE FROM THE GOVERNOR REGARDING VETO OF HOUSE BILL 2044

I have long maintained three criteria for evaluating Medicaid expansion under Obamacare. Any attempt to expand this entitlement program should include a plan to eliminate the inherited waiting list for services to our disabled community, include work requirements to help Kansans escape poverty, and have a neutral impact on the state budget. This bill does not meet those requirements. Additionally, I am disappointed this bill will lead to an increase in funding for Planned Parenthood.

The most effective welfare program is one that helps people find a good paying job, escape poverty, and gain economic security. This bill's work component is nothing more than a work referral program, which will not lead to real employment gains for low income families. A true work requirement, as currently exists in the TANF and SNAP programs, would encourage and assist low-income able-bodied Kansans in receiving the educational and employment opportunities they deserve. We cannot help our citizens build better lives without also incentivizing them to find a permanent path out of poverty.

Prior administrations created and expanded waitlists for Kansans with disabilities. Over the course of my administration, I have worked to reduce the disability waitlist for these services. Yet, instead of continuing this critical work, **HB 2044** prioritizes service for able-bodied adults without dependents instead of members of the disability community who need services now.

The cost of expanding Medicaid under ObamaCare is irresponsible and unsustainable. A recent third party study from Aon Hewitt estimates that expansion will cost Kansas taxpayers over \$1.2 billion from the state general fund over the coming years. In fact, states that have expanded have seen cost overruns of 110 percent or more than double the projection of enrollees. This bill is not budget neutral, instead placing a burden on the budget of unrestrainable costs.

Furthermore, this legislation ensures a significant increase in state and federal Medicaid dollars funneled towards abortion providers like Planned Parenthood. Kansas

is a pro-life state, respecting the value and dignity of each unique human life. Our citizens do not want their tax dollars supporting organizations that are antithetical to human dignity. We cannot and will not support this legislation that continues to fund organizations that undermine a culture of life.

Finally, it is unwise to undertake such a drastic change to our Medicaid system in Kansas while our partners in Washington D.C. continue working to overhaul the Affordable Care Act. Congressional actions indicate there are many changes to Medicaid on the horizon. Despite lack of Congressional action last week, The White House and House Leadership have restarted negotiations on legislation to repeal the Affordable Care Act. These changes may impact many aspects of the Kansas Medicaid program, and attempting to overhaul our current system while these changes are still being worked out is potentially harmful to our state.

Accordingly, pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto **House Bill 2044**.

Dated: March 30, 2017

Sam Brownback, *Governor of Kansas*

A motion was made that **HB 2044** be passed notwithstanding the Governor's veto. By a vote of 81 Yeas and 44 Nays, the motion failed to receive the required two-thirds constitutional majority of the elected members or appointed to the House of Representatives and the veto was sustained.

REPORT ON ENROLLED BILLS

SB 26, SB 36, SB 63; Sub SB 74; SB 100, SB 110, SB 154 reported correctly enrolled, properly signed and presented to the Governor on March 31, 2017.

SR 1738, SR 1739 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on April 03, 2017.

On motion of Senator Denning, the Senate adjourned until 10:00 a.m., Tuesday, April 4, 2017.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.

COREY CARNAHAN, *Secretary of the Senate*.

