

Journal of the Senate

SIXTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 30, 2018, 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:

Heavenly Father, it was on this same day, January 30th, that the engineer Erno Rubik applied to have patented the Rubik's Cube, one of the greatest puzzles of all time. In designing it, he said he was looking for a way for the individual parts to be moving around without losing their connection to each other and without any of them losing their connection to the whole.

Lord, that's the puzzle we're faced with today. We're trying to find a way that each of us with our individual colors of character, skill and temperament can be moving in and around each other without losing our connectedness to each other, and while together, remaining united...committed to the whole responsibility.

You said in James 1:3-4, that our faith would be tested and our patience would be given a chance to grow. So, grow us and teach us patience when we get it all twisted with folk. Help us look to You for answers. You are the Master at solving our puzzles... at resolving our "Rubiks Cube" dilemmas.

We'll always need Your counsel. We'll always need Your guidance. We'll always need You to turn, pull and twist us until we line up.

Thanks again Lord, for being our Master Engineer. 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 340, AN ACT concerning postsecondary educational institutions; establishing the campus free speech protection act, by Committee on Federal and State Affairs.

SB 341, AN ACT concerning sales taxation; relating to exemptions; Ronald McDonald house charities of Wichita, inc.; amending K.S.A. 2017 Supp. 79-3606 and repealing the existing section, by Committee on Federal and State Affairs.

SB 342, AN ACT concerning information systems and communications; creating the Kansas cybersecurity act; establishing the Kansas information security office; establishing the cybersecurity state fund, by Committee on Ways and Means.

SB 343, AN ACT concerning the disposition of state real property; authorizing the state board of regents and the state of Kansas to convey certain real property to Wichita state university, by Committee on Ways and Means.

SB 344, AN ACT concerning agriculture; relating to the control and eradication of noxious weeds in the state of Kansas; amending K.S.A. 2-1314b, 2-1320, 2-1323, 2-1330 and 2-1332 and K.S.A. 2017 Supp. 2-1314, 2-1315, 2-1316, 2-1317, 2-1318, 2-1319, 2-1322 and 2-1331 and repealing the existing sections; also repealing K.S.A. 2-1316a, 2-1325, 2-1326, 2-1328 and 2-1329 and K.S.A. 2017 Supp. 2-1327 and 2-1334, by Committee on Agriculture and Natural Resources.

SB 345, AN ACT concerning sales taxation; relating to exemptions; friends of JCDS, inc.; amending K.S.A. 2017 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 337**.

Commerce: **SB 339**, **HB 2482**.

Federal and State Affairs: **HB 2437**.

Judiciary: **SB 336**, **HB 2439**.

Public Health and Welfare: **SB 338**.

Ways and Means: **SB 342**.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Under the authority of the President, Vice President Longbine referred **SB 342** to the Committee on **Ways and Means**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Pilcher-Cook, Alley, Baumgardner, Berger, Billinger, Bowers, Denning, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Hardy, Hawk, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pyle, V. Schmidt, Suellentrop, Sykes, Taylor, Tyson, Wagle and Wilborn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. SR 1762—

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.

WHEREAS, Pornography is creating a public health crisis and perpetuates a sexually toxic environment; and

WHEREAS, Efforts to prevent pornography exposure and addiction, to educate individuals and families concerning its harms and to develop recovery programs must be addressed systematically; and

WHEREAS, Due to advances in technology and the universal availability of the internet, young children are exposed to pornography at an alarming rate, with 27% of millennials, aged 25 to 30, reporting that they first viewed pornography before puberty, based on a 2016 Barna Group study; and

WHEREAS, This early exposure can lead to low self-esteem and body image disorders, an increase in problematic sexual activity at younger ages and an increased desire among adolescents to engage in risky sexual behavior; and

WHEREAS, Exposure to pornography often serves as a child's and a teen's sex education and shapes their sexual understanding, because pornography treats women and children as objects and commodities for the viewer's use. Pornography teaches girls that they are to be used and teaches boys to be users; and

WHEREAS, Pornography normalizes violence and abuse against women and children by treating women and children as objects, and often depicts rape and abuse as if they are harmless. Moreover, pornography equates violence towards women and children with sex, and equates pain with pleasure, which increases child sexual abuse and child pornography and the demand for sex trafficking and prostitution, according to a 2012 study published in The Protection Project Journal of Human Rights and Civil Society; and

WHEREAS, The potential detrimental effects on viewers of pornography can impact brain development and functioning, contribute to emotional and medical illnesses, shape deviant sexual arousal, as well as problematic or harmful sexual behaviors and addiction and lead to difficulty in forming or maintaining intimate relationships; and

WHEREAS, Recent research indicates that pornography is potentially biologically addictive, which means the user requires more mental stimulation, often in the form of more shocking material, in order to be satisfied. This biological addiction often leads to increasing themes of risky sexual behaviors, extreme degradation, violence and child sexual abuse images and child pornography; and

WHEREAS, Pornography use is linked to lessened desire in young men and women to marry, dissatisfaction in marriage and infidelity, which has a detrimental effect on the family unit; and

WHEREAS, Pornography has contributed to a rise in the occurrence of erectile dysfunction in young men; and

WHEREAS, Overcoming pornography's harms is extremely difficult for the afflicted individual to address alone: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize that pornography is a public health hazard that leads to a broad spectrum of individual and public health impacts and societal harms; and

Be it further resolved: That we recognize the need for additional education, prevention, research and policy change at the community and societal levels, and we urge this chamber and other governing bodies to take appropriate steps to ensure progress is made; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the Kansas Attorney General, Derek Schmidt; the Kansas Bureau of Investigation Director, Kirk Thompson; the Kansas Highway Patrol Superintendent, Colonel Mark Bruce; the Secretary of the Kansas Department of Health and Environment; the Kansas Library Association; the Kansas County & District Attorneys Association; the Kansas Sheriffs' Association; the Kansas Association of Chiefs of Police; the Kansas Association of District Court Clerks and Administrators; the Kansas Appellate Courts and the Kansas Supreme Court; the League of Kansas Municipalities; the Kansas County Commissioners Association; the American Family Association of Kansas and Missouri State Director, Phillip Cosby; and Senator Pilcher-Cook.

MESSAGES FROM THE GOVERNOR

January 30, 2018

EXECUTIVE ORDER 18-03; Recinding Certain Executive Orders.

COMMUNICATIONS FROM STATE OFFICERS

January 30, 2018

Commissioner of Insurance, Ken Selzer, CPA, submitted the 2017 Annual Report of the Kansas Insurance Department,

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

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 Baumgardner in the chair.

On motion of Senator Baumgardner the following report was adopted:

SB 267, SB 275 be passed.

SB 262 be amended by the adoption of the committee amendments, and the bills be passed as amended.

FINAL ACTION ON CONSENT CALENDAR

SB 255 and **SB 261** having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

SB 255, AN ACT concerning emergency telephone services; relating to the Kansas 911 act; audits by the division of legislative post audit; amending K.S.A. 2017 Supp. 12-5377 and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Kelly.

The bill passed.

SB 261, AN ACT concerning appraisal of real property before purchase or disposal by the state or any agency thereof; relating to duties of the judicial administrator and the director of property valuation; amending K.S.A. 2017 Supp. 75-3043a and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley,

Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Kelly.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Denning an emergency was declared by a 2/3 constitutional majority, and **SB 262**, **SB 267** and **SB 275** was advanced to Final Action and roll call.

SB 262, AN ACT authorizing the construction of a permanent statue honoring Dwight D. Eisenhower on the state capitol grounds; establishing the Dwight D. Eisenhower statue fund.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Kelly.

The bill passed as amended.

SB 267, AN ACT concerning insurance; relating to risk-based capital instruction; effective date; amending K.S.A. 2017 Supp. 40-2c01 and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Kelly.

The bill passed.

SB 275, AN ACT concerning the credit union council; relating to terms of service; two-term limit; amending K.S.A. 17-2232 and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Kelly.

The bill passed.

On motion of Senator Denning, the Senate adjourned until 2:30 p.m., Wednesday, January 31, 2018.

JANUARY 30, 2018

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

