

Journal of the Senate

FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 17, 2019, 2:30 p.m.

The Senate was called to order by President Susan Wagle.

The roll was called with 40 senators present.

Dr. Larry Jones, Missionary Baptist Church in Wichita, and guest of Senator David Haley, offered the invocation.

The Pledge of Allegiance was led by President Wagle.

POINT OF PERSONAL PRIVILEGE

Senator Faust-Goudeau rose on a Point of Personal Privilege to introduce guests visiting the Capitol in recognition of the legacy of Dr. Martin Luther King. Guests introduced were: Kenya Cox, Executive Director of Kansas African American Affairs Commission (KAAAC), Roy Moye, III, Sherdeill Breathett, KAAAC Commissioner, Mrs. Sue Jones, wife of today's guest Chaplain, Charles Jean Baptiste, who conceptualized the Brown v. Board Mural displayed in the Capitol.

The guests were honored with a standing ovation by the Senate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 19, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; presentence investigation report; amending K.S.A. 2018 Supp. 21-6813 and repealing the existing section, by Committee on Judiciary.

SB 20, AN ACT concerning courts; relating to court fees and costs; judicial branch surcharge fund; amending K.S.A. 65-409 and K.S.A. 2018 Supp. 8-2107, 8-2110, 20-3021, 21-6614, 22-2410, 23-2510, 28-170, 28-172a, 28-177, 28-178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-729, 60-2001, 60-2203a, 61-2704 and 61-4001 and repealing the existing sections, by Committee on Judiciary.

SB 21, AN ACT concerning crimes, punishment and criminal procedure; relating to abolition of the death penalty; creating the crime of aggravated murder; sentences of imprisonment for life without the possibility of parole; amending K.S.A. 65-5117 and 72-2165 and K.S.A. 2018 Supp. 21-5301, 21-5402, 21-5419, 21-6328, 21-6614, 21-6618, 21-6620, 21-6622, 21-6628, 21-6629, 21-6806, 22-2512, 22-3717, 22-4902, 22-4906, 23-3222, 38-2255, 38-2271, 38-2303, 38-2312, 38-2365, 39-970, 39-2009 and 75-52,148 and repealing the existing sections; also repealing K.S.A. 2018 Supp. 21-5401, 21-6617 and 21-6619, by Committee on Ways and Means.

SB 22, AN ACT concerning taxation; relating to income tax; addition and subtraction modifications, treatment of deferred foreign income, global intangible low-taxed income, business interest, capital contributions and FDIC premiums; Kansas itemized deduction, election; amending K.S.A. 2018 Supp. 79-32,117, 79-32,120 and 79-32,138 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 23, AN ACT concerning gaming, creating the Kansas sports wagering act; amending K.S.A. 74-8702, 74-8710, 74-8711, 74-8716, 74-8734, 74-8741, 74-8751, 74-8752, 74-8760, 74-8763, 74-8765 and 74-8769 and K.S.A. 2018 Supp. 19-101a, 21-6403 and 21-6507 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 24, AN ACT concerning utilities; relating to electric utilities; recovery of transmission-related costs; amending K.S.A. 66-1237 and repealing the existing section, by Committee on Utilities.

SB 25, 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 26, AN ACT concerning income taxation; relating to credits; certain purchases of goods and services from qualified vendors that provide employment to individuals who are blind or severely disabled; qualifications, procedures and limitations, by Committee on Commerce.

SB 27, AN ACT concerning employment security law; relating to lessor employment units and lessee clients; restrictions on leasing certain employees; amending K.S.A. 44-758 and repealing the existing section, by Committee on Commerce.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 16**.

Judiciary: **SB 18**.

Transportation: **SB 17**.

COMMUNICATIONS FROM STATE OFFICERS

January 17, 2019

To: Corey Carnahan, Senate Secretary

Pursuant to Rule 8, the Senate Select Committee on Federal Tax Code Implementation is established with appointments to be announced at a later date.

Susan Wagle
Senate President

CONSIDERATION OF APPOINTMENTS

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

Senator Denning moved the following appointments be confirmed as recommended by the Committee on **Confirmation and Oversight**.

By the Governor

On the appointment to the:

Pooled Money Investment Board:

Steven Bowser, Term ends March 15, 2022

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, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Michael Copeland, Term ends March 15, 2019

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, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

David Dillon, Term ends March 15, 2021

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, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

By the Attorney General

On the appointment to the:

Office of Inspector General:

Sarah Fertig, Term ends January 15, 2021

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, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Regents:

William Feuerborn, Term ends June 30, 2022

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, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Greg Graves, Term ends March 15, 2019

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, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Regents:

Mark Hutton, Term ends June 30, 2022

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

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

Present and Passing: Pyle.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Casey Lair, Term ends March 15, 2021

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, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley,

Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Civil Service Board:

Carroll Macke, Term ends March 15, 2022

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, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Civil Service Board:

Raymond Melugin, Term ends March 15, 2022

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, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Jack Newman, Term ends March 15, 2020

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, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Librarian:

Eric Norris, 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, Braun, Denning, Doll,

Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

By the Attorney General

On the appointment to the:

Kansas Crime Victims Compensation Board:

Richard Samaniego, Term ends March 15, 2020

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, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Regents:

Allen Schmidt, Term ends June 30, 2022

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, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Human Rights Commission:

Harold Schorn, Term ends January 15, 2022

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, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Donna Thomas, Term ends March 15, 2021

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, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Employment Security Board of Review:

Ryann Waller, Term ends March 15, 2022

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, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

By the Governor

On the appointment to the:

Department of Credit Unions:

Jerel Wright, Term ends December 31, 2022

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, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Deryl Wynn, Term ends March 15, 2021

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, Braun, Denning, Doll, Estes, Faust-Goudeau, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

The appointment was confirmed.

On motion of Senator Denning, the senate adjourned pro forma until 9:00 a.m., January 18, 2019.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

JANUARY 17, 2019

33

