

# Journal of the Senate

THIRTY-NINTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Wednesday, March 13, 2019, 2:30 p.m.

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

Heavenly Father, yesterday in song, our prayer was God Bless America; this land that we love. Stand beside her, and guide her, with Your light from above. Lord, what we need as a nation, as a state; what we need in our homes must ultimately come from Your Hand of blessings being extended to us. For You made it clear in James 1:17, that every good and perfect gift comes from You.

When the wheels of a vehicle are out of alignment, the sooner they're corrected the better and the greater the chance of avoiding heavy repair costs. In a like manner Lord, the wheels that we run on need to be brought into alignment with You; with Your will, and with Your ways. In Psalm 33:12, Your Word says, "Blessed is the nation whose God is the Lord."

When the crying Prophet Jeremiah observed the condition of his nation, in the 17th chapter, You used him to contrast the difference between a people being cursed by You or being blessed. In verse 6, the cursed was like a shrub in a dry desert not seeing prosperity. While in verse 8 the blessed one, the one in alignment with You, will be nourished like a tree planted by the waters, maintaining green leaves and bearing much fruit.

So Lord, like a Master Mechanic, hoist us up on Your rack and bring every wheel, every thought, attitude, action, and habit into the alignment appropriate for Your blessings. In the Name of Jesus, I come to You for continuing alignment. Amen and Amen.

The Pledge of Allegiance was led by President Wagle.

## **POINT OF PERSONAL PRIVILEGE**

Senator Lynn rose on a Point of Personal Privilege to introduce her fellow Board Members from the Kansas State School for The Blind, known as the "KC Blind All Stars," Kansas City, Kansas, who have been "shadowing" her for the day and were seated in the VIP Gallery: Jon Harding, Vice-President and Superintendent; Larry Hisle, Secretary; Tom Johnson, Treasurer; and Madeleine Burkindine, Board Member and former Superintendent.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**SB 225**, AN ACT concerning the hospital provider assessment; relating to assessment and use; rate; base; membership on the healthcare access improvement panel; amending K.S.A. 65-6208 and 65-6218 and repealing the existing sections, by Committee on Ways and Means.

**SB 226**, AN ACT concerning the sale of cereal malt beverage; amending K.S.A. 2016 Supp. 41-2704, as amended by section 9 of chapter 56 of the 2017 Session Laws of Kansas, 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:

Agriculture and Natural Resources: **SB 224**.

Public Health and Welfare: **SB 223**.

**MESSAGE FROM THE HOUSE**

Announcing passage of **HB 2133**.

Announcing passage of **SB 17**, **SB 39**.

Also, announcing adoption of **SCR 1606**.

**INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS**

**HB 2133** was thereupon introduced and read by title.

**FINAL ACTION ON CONSENT CALENDAR**

**SB 155**, **SB 173**; **HB 2174** having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

**SB 155**, AN ACT concerning certain cemetery districts and the deannexation of territory located within a city.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Hensley, Suellentrop.

The bill passed.

**SB 173**, AN ACT concerning the disposition of state real property; authorizing the state board of regents on behalf of the university of Kansas to sell certain real property in Douglas county.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

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

Absent or Not Voting: Hensley, Suellentrop.

The bill passed.

**HB 2174**, AN ACT concerning the state use law; relating to extension of the sunset date for five years; amending K.S.A. 2018 Supp. 75-3322c and repealing the existing section.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Hensley, Suellentrop.

The bill passed.

#### **FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**SB 70**, AN ACT concerning alcoholic beverages; relating to temporary permits; amending K.S.A. 2016 Supp. 41-102, as amended by section 4 of chapter 56 of the 2017 Session Laws of Kansas, K.S.A. 2018 Supp. 41-308a, 41-719, 41-2601, 41-2608, 41-2622, 41-2637, 41-2641 and 41-2642 and repealing the existing sections; also repealing K.S.A. 2018 Supp. 41-347, 41-2645 and 41-2657, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Hensley, Suellentrop.

The bill passed, as amended.

**SB 99**, AN ACT concerning emergency medical services; relating to the emergency medical services board; powers and duties thereof; authorized activities of certain emergency medical services providers; creating the designation of inactive certificate; establishing the medical services criminal history and fingerprinting fund; updating terminology and references related thereto; amending K.S.A. 65-16,127, 65-1728, 65-2891, 65-2913, 65-4915, 65-6001, 65-6102, 65-6110, 65-6111, 65-6112, 65-6119, 65-6120, 65-6124, 65-6126, 65-6127, 65-6129, 65-6129a, 65-6129b, 65-6130, 65-6133, 65-6135, 65-6145, 65-6150, 74-4954a and 80-1557 and K.S.A. 2018 Supp. 8-1,159, 21-6326, 39-1402, 39-1431, 40-2141, 44-131, 44-508, 44-510h, 44-511, 44-1204, 75-4364 and 75-5664 and repealing the existing sections; also repealing K.S.A. 65-6123 and 65-6129c, was considered on final action.

On roll call, the vote was: Yeas 36; Nays 2; Present and Passing 0; Absent or Not Voting 2.

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

Nays: Hilderbrand, Pyle.

Absent or Not Voting: Hensley, Suellentrop.

The bill passed, as amended.

#### 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 Petersen in the chair.

On motion of Senator Petersen the following report was adopted:

**SCR 1605** be adopted.

The committee report on **SB 69** recommending **Sub SB 69** be adopted, and the substitute bill be passed.

Senator Francisco moved **Sub SB 69** be rereferred to the Committee on Utilities. The motion failed.

A motion by Senator Haley to amend **Sub SB 69** was offered.

A ruling of the chair was requested as to the germaneness of the amendment. The Rules Committee ruled the amendment was germane to the bill.

The motion by Senator Haley to amend **Sub SB 69** failed.

On motion of Senator Denning, the Senate adjourned until 2:30 p.m., Thursday, March 14, 2019.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

