

# Journal of the Senate

## EIGHTH DAY

---

SENATE CHAMBER, TOPEKA, KANSAS  
Thursday, January 23, 2020, 2:30 p.m.

The Senate was called to order by President Susan Wagle.

The roll was called with 39 senators present.

Senator Givens was excused.

Invocation by Reverend Cecil T. Washington:

God Almighty, Ruler of Heaven and earth, there are times when our strength is almost all gone; times when we seem to be hanging on by a thread. There are times when we call upon You for strength and though we know You're there, it seems as though You're not.

Then the words You gave to the Apostle Paul, in 2 Corinthians 12, give us hope and encouragement. Father, as You did with Paul, do with us. Keep us from the problem of pride. Don't let us think more highly of ourselves than we ought.

Help us maintain the awareness of how weak and fragile we are and that Your strength is manifest in and through our weakness. As You did with Paul, let insurmountable problems keep us looking, leaning and depending on You. Let our weaknesses serve to magnify Your strengths.

In the Name of our Lord and Savior, Amen.

The Pledge of Allegiance was led by President Wagle.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**SB 301**, AN ACT concerning property taxation; relating to the valuation of property; providing for a triennial valuation; amending K.S.A. 79-5a04, 79-1412a, 79-1455 and 79-1476 and repealing the existing sections, by Senators Hilderbrand, Olson, Petersen, Pyle, Rucker and Wilborn.

**SB 302**, AN ACT concerning motor vehicles; relating to license plates; providing the secretary of revenue authority to determine plate letters and numerals; eliminating the requirement that license plates be shipped to county treasurers; amending K.S.A. 2019 Supp. 8-147 and repealing the existing section, by Committee on Transportation.

**SB 303**, AN ACT concerning the insurance department; relating to employees and contractors who have access to confidential information; fingerprinting; amending K.S.A. 2019 Supp. 40-110 and repealing the existing section, by Committee on Financial Institutions and Insurance.

**SB 304**, AN ACT concerning insurance; relating to the conversion of a reciprocal into a mutual insurance company; pertaining to required contents of the conversion

plan; factors affecting approval by the commissioner; definitions; amending K.S.A. 40-1622 and K.S.A. 2019 Supp. 40-1621 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

**SB 305**, AN ACT concerning the vehicle dealers and manufacturers licensing act; relating to vehicle dealer licensing; increasing the bonding requirement for vehicle dealers; amending K.S.A. 2019 Supp. 8-2404 and repealing the existing section, by Committee on Transportation.

**SB 306**, AN ACT concerning motor vehicles; relating to odometer requirements upon transfer of vehicle; amending K.S.A. 2019 Supp. 8-135 and repealing the existing section, by Committee on Transportation.

**SB 307**, AN ACT concerning wildlife, parks and recreation; relating to boating and water activities; approved types of personal flotation devices; amending K.S.A. 32-1129 and repealing the existing section, by Committee on Agriculture and Natural Resources.

**SB 308**, AN ACT concerning agriculture; relating to milk, cream and dairy products; on-farm retail sale of milk; labeling and advertising requirements; amending K.S.A. 65-771 and repealing the existing section, by Committee on Agriculture and Natural Resources.

**SB 309**, AN ACT concerning property taxation; relating to judicial review; burden of proof in district court; amending K.S.A. 74-2426 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 285, SB 286, SB 287, SB 300.**

Assessment and Taxation: **SB 294, SB 296, SB 297, SB 298.**

Ethics, Elections and Local Government: **SB 299.**

Financial Institutions and Insurance: **SB 289, SB 290, SB 291, SB 292.**

Judiciary: **SB 293.**

Transportation: **SB 288.**

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**SB 45**, AN ACT concerning crimes, punishment and criminal procedure; relating to involuntary manslaughter; battery; public safety sector employees; penalties; amending K.S.A. 2019 Supp. 21-5405 and 21-5413 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 36; Nays 1; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Francisco, Goddard, Hardy, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Miller, Olson, Petersen, Pettey, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Thompson, Tyson, Wagle, Ware, Wilborn.

Nays: Haley.

Absent or Not Voting: Faust-Goudeau, Givens, Hawk.

The bill passed, as amended.

## EXPLANATION OF VOTE

Madam President: It's ironic that the FIRST bill rushed through the 2020 Session in the Senate has over a million dollar a year, tax-payer supported price tag on it by 2029. I guess the signal to the lobby core for effectiveness on government waste is: pick a sentimental sweet spot topic like supposed police or veteran's benefit or widows and orphans' relief; or puppies and kitten's protections and run that bill early in Session and it's a go. If I believed that this expensive sentencing enhancement, which is NOW being projected as well beyond the 46 necessary new beds originally projected when this bill was heard just last year (2019), would improve police protection OR public safety, I might support something we already can't afford. With 120 of our inmates farmed out to Arizona already; more and more of state offenders being housed in our county jails to meet the federal prison overcrowding mandates now ... whatever the number of this unnecessary enhancement is in **SB 45** is enough to make any true fiscally conservative legislator pause, reflect and vote against it. Approximately \$25,000 a year per inmate times 50 by 2029. You do the math. This is not a good way to begin our wayward spending in the new year. Please let the record reflect from Day One of the Session that I, Senator David Haley, as a genuine steward of our tax dollars, will consistently evaluate the cost of sentencing changes to our prison bed space impact and state general fund obligation before voting on the underlying crime enhancement. Actually proud to be the ONLY Senator to vote against this costly, unnecessary measure that will not improve public safety, I yet wish my colleagues would think about these "sentimental" topics but real implications before voting too. I do not mind at all standing alone for fiscal responsibility.—DAVID HALEY

**REPORT ON ENROLLED BILLS**

**SR 1747, SR 1748** reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 23, 2020.

On motion of Senator Denning, the Senate adjourned until 8:00 a.m., Friday, January 24, 2020.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

