

Journal of the Senate

SIXTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 4, 2020, 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:

Lord, You gave Moses the responsibility to lead Your people toward a much better way of life. Moses was to lead them into a life exemplified by Your blessings. Realizing the gravity of the calling on his life, in Exodus 33:15, he said he would not go if You didn't go with him.

In like manner Lord, You've given us the responsibility to lead Your people into better ways of life. We need Your guidance, but we also need the promising assurance that You'll go with us. As we tackle the various challenges ahead, give us the confidence you gave to Moses. Confirmation of Your presence will be substantiated by showing us Your supernatural results.

Lord, when all is said and done, let it be said without a doubt, that God was in this House. Thank You for blessing us with the evidence of Your presence.

In the Name of our Lord and Savior, in the Name of our God With Us. Amen and 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 360, AN ACT concerning sales taxation; authorizing the Sherwood improvement district to impose a sales tax; amending K.S.A. 19-2765 and repealing the existing section, by Committee on Assessment and Taxation.

SB 361, AN ACT concerning public employee and professional employee organizations; relating to public and professional employee organization dues; amending K.S.A. 72-2219, 72-2241, 75-4324, 75-4327 and 75-5501 and K.S.A. 2019 Supp. 44-319 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 362, AN ACT concerning fireworks; allowing cities and counties to restrict the sale of fireworks; relating to the time frame for the sale of fireworks; repealing the ban on bottle rockets; amending K.S.A. 2019 Supp. 31-502 and 31-503 and repealing the existing sections; also repealing K.S.A. 2019 Supp. 31-507 and 31-508, by Committee on Federal and State Affairs.

SB 363, AN ACT concerning health and healthcare; relating to the department of

health and environment; providing funding for certain clinics; making and concerning appropriations for the fiscal years ending June 30, 2021, and June 30, 2022, for the department of health and environment, division of public health, by Committee on Ways and Means.

SB 364, AN ACT concerning health and healthcare; relating to newborn screening; reimbursement of treatment services; authorizing the secretary of health and environment to specify conditions included in screenings; increasing transfers to the Kansas newborn screening fund; amending K.S.A. 65-180, 65-181 and 65-183 and repealing the existing sections, by Committee on Ways and Means.

SB 365, AN ACT concerning the Kansas board of barbering; relating to licensure and regulation of barbers; fees; amending K.S.A. 65-1808, 65-1809, 65-1810, 65-1812, 65-1813, 65-1814, 65-1815, 65-1816, 65-1817, 65-1818, 65-1819, 65-1820a, 65-1821, 65-1822, 65-1824, 65-1825a, 65-1826, 65-1827, 65-1831, 65-1835, 74-1805a, 74-1806 and 74-1807 and repealing the existing sections; also repealing K.S.A. 65-1828, by Committee on Ways and Means.

SB 366, AN ACT concerning occupational regulation; relating to occupational licenses for certain applicants; amending K.S.A. 2019 Supp. 48-3406 and repealing the existing section, by Committee on Commerce.

SCR 1614—A CONCURRENT RESOLUTION supporting Kansas farmers and ranchers in the Rattlesnake Creek subbasin in their ongoing effort to protect their water rights and livelihood through a collaborative solution to the region's water impairment issue that will safeguard Kansas agriculture and the economic success of Kansas farmers, ranchers and agribusiness by Senators Wagle, Kerschen and Taylor.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 353**, **SB 354**.

Financial Institutions and Insurance: **SB 352**, **SB 357**.

Judiciary: **SB 355**, **SB 358**; **HB 2426**.

Public Health and Welfare: **SB 359**.

Transportation: **SB 356**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Wagle, Faust-Goudeau, Kerschen, Masterson, McGinn, Petersen, Suellentrop and Ware introduced the following Senate resolution, which was read: SENATE RESOLUTION No. 1754—

A RESOLUTION recognizing the Wichita Police Department's Homeless Outreach Team for its tremendous accomplishments and continuous efforts in reducing chronic homelessness in Wichita.

WHEREAS, As both Wichita's homeless population and the number of 911 calls relating to homelessness nearly doubled between 2009 and 2011, the Wichita Police Department was compelled to assume an active role in helping homeless individuals access services to obtain housing, employment, and other needs; and

WHEREAS, In fulfilling the Wichita Police Department's mission of "improving the quality of life" in the Wichita community, the department established the Homeless

Outreach Team to address the city's issue of homelessness; and

WHEREAS, Working alongside behavioral health and social service providers, the team bridges the gaps between homeless individuals and local service providers to increase access to transportation, shelter, substance-abuse treatment, case management, employment, and other needs; and

WHEREAS, The program has four full-time officers: Nathan Schwiethale, Matt Lowe, Chris Williams, and Ann Mackey. They are all supervised by Sergeant David Nienstedt, Lieutenant Drew Seiler, and Captain Wendell Nicholson. The team is a part of the Field Services division, overseen by Deputy Chief Anna Hatter, in the Wichita Police Department, directed by Chief Gordon Ramsay; and

WHEREAS, The Homeless Outreach team runs and collaborates on many programs to aid homeless individuals. The team runs Finding a Way Home, which reunites homeless individuals with family members for stable housing. The team also collaborates with the City of Wichita and Sedgwick County to help individuals enter the Housing First program; and

WHEREAS, Since 2013, the team has experienced resounding success, as they have helped more than 1,000 people move into transitional housing, helped more than 600 people reunite with family members for support, helped more than 500 people find shelter, helped divert more than 700 non-victim crimes in lieu of services, and more than 3,000 times helped connect homeless individuals with services and providers; and

WHEREAS, The team has received national, state, and local recognition for its efforts, including awards from the Wichita Crime Commission, the National Alliance on Mental Illness, the Red Cross, and the Veterans Administration. The team was also recognized nationally for best practices by the United States Interagency Council on Homelessness: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize the Wichita Police Department's Homeless Outreach Team for its tremendous accomplishments and continuous efforts in reducing chronic homelessness in Wichita; and

Be it further resolved: That the Secretary of the Senate shall send eight enrolled copies of this resolution to Senator Wagle.

On emergency motion of Senator Wagle **SR 1754** was adopted unanimously.

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 Bowers in the chair.

On motion of Senator Bowers the following report was adopted:

SB 157 be amended by the adoption of the committee amendments, be further amended by motion of Senator Wilborn; on page 1, in line 6, by striking "2018" and inserting "2019";

On page 2, in line 1, by striking "2018" and inserting "2019"; in line 43, by striking "2018" and inserting "2019";

On page 1, in the title, in line 2, by striking "2018" and inserting "2019" and SB 157 be passed as further amended.

FINAL ACTION ON CONSENT CALENDAR

SB 258 having appeared on the Consent Calendar for the required two full legislative

days without objection from any member, were considered on final action.

SB 258, AN ACT concerning the legislative division of post audit; removing the requirement to submit certain reports thereto; amending K.S.A. 22-4514a, 75-3728c, 76-721 and 79-3233b and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 1; 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, Rucker, Skubal, Suellentrop, Sykes, Taylor, Thompson, Tyson, Wagle, Ware, Wilborn.

Nays: Pyle.

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 157** was advanced to Final Action and roll call.

SB 157, AN ACT concerning family law; relating to temporary parenting plans; amending K.S.A. 2018 Supp. 23-3211 and 23-3212 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 1; 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, Pyle, Rucker, Skubal, Suellentrop, Taylor, Thompson, Tyson, Wagle, Ware, Wilborn.

Nays: Sykes.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: I am voting no on **SB 157**. First, I support the intention of this bill to allow for shared parenting; however, I believe this legislation unintentionally puts children at risk. When dealing with the complex decisions around the best interest of a child, this bill presupposes and defines that the best interest of the child is splitting time equally. In the tumultuous aftermath of divorce, children need stability and as little disruption in their lives as possible. The automatic presumption of shared parenting binds the hands of the judicial decision maker. My concern is that this bill shifts the focus from children to parents and will lead to children moving between homes frequently eroding stability when that stability is most important. Even in stable relationships with two parents, the work of parenting is rarely equally distributed. Each parent has their own strengths and weaknesses and depending on the needs of the child may need one or the other parent to a greater degree. Again, I support the intention of this bill to try to find a way for both parents to remain involved in children's lives; however, I think this will make children's lives more difficult. —DINAH SYKES

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **SB 93** from the Committee on **Public Health and Welfare**, and referred the bill to the Committee on **Financial Institutions and Insurance**.

MESSAGE FROM THE HOUSE

Announcing adoption of **HCR 5020**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HCR 5020 was thereupon introduced and read by title.

On motion of Senator Denning, the Senate adjourned until 2:30 p.m., Thursday, February 6, 2020.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.

COREY CARNAHAN, *Secretary of the Senate*.

