

Journal of the Senate

TWENTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 13, 2020, 2:30 p.m.

The Senate was called to order by President Susan Wagle.

The roll was called with 40 senators present.

The President introduced guest chaplain Reverend Dr. Desmond C. Lamb, Forest Grove Baptist Church, Kansas City, KS to deliver the invocation:

Eternal God our Creator, we give thanks for this day and the blessings that emanate amid it.

We thank You, that we Your people of this assembly can once again approach You for forgiveness of our sins, directions for our journey and decisions to be made on behalf of citizens across the great state of Kansas.

Dear Lord, we pause at this moment to ask that the hearts and ears of these delegated officials would be open to hear and feel the heartbeat of those whom they serve. As our great state is made up of cities and counties, we recognize that there are mundane and monumental challenges on every hand but with the undergirding of Your wisdom and direction, those challenges can be subjugated by these under the sound of my voice.

Dear Lord, please keep all who work as delegated authorities of Kansas safe, sound and in good health. Help us as a state to show love and forgiveness towards one another and help us as a state to recognize You as our Supreme Guide. And as always dear Lord, we will forever be careful to give you all the praise, glory and honor, in Jesus' Name we pray, 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 426, AN ACT concerning crimes, punishment and criminal procedure; relating to law enforcement policies; custodial interrogations; deception; amending K.S.A. 2019 Supp. 22-4620 and repealing the existing section, by Committee on Judiciary.

SB 427, AN ACT concerning the open records act; relating to exceptions to the disclosure of public records; legislative review of expiring exceptions; continuing such exceptions; amending K.S.A. 2019 Supp. 9-1810, 40-223j, 45-229 and 50-6a11 and repealing the existing sections, by Committee on Judiciary.

SB 428, AN ACT concerning law enforcement; relating to racial profiling or other biased policing; data collection and reporting requirements; amending K.S.A. 2019 Supp. 22-4606, 22-4610, 22-4611 and 22-4611a and repealing the existing sections, by Committee on Judiciary.

SB 429, AN ACT concerning crimes, punishment and criminal procedure; relating to conditions of release; establishing requirements for issuing an arrest bond; authorizing judicial districts to establish an arrest bond schedule, by Committee on Judiciary.

SB 430, AN ACT concerning law enforcement; relating to officer-involved deaths and use of force; requiring investigations and reports, by Committee on Judiciary.

SB 431, AN ACT concerning public utilities; relating to the Kansas energy efficiency investments act; demand-side programs; amending K.S.A. 66-1283 and repealing the existing section, by Committee on Utilities.

SB 432, AN ACT concerning alcoholic liquor; relating to wineries; special order shipping licenses; license terms; submission requirements, as required by the secretary of revenue; amending K.S.A. 2019 Supp. 41-350 and repealing the existing section, by Committee on Federal and State Affairs.

SB 433, AN ACT concerning alcoholic liquor; relating to the Kansas liquor control act; club and drinking establishment act; violation of order issued by director; suspension or revocation of licensees; amending K.S.A. 2019 Supp. 41-320a and 41-2611 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 434, AN ACT concerning the Kansas open records act; relating to copies of records; staff time; fees; amending K.S.A. 2019 Supp. 45-219 and repealing the existing section, by Committee on Assessment and Taxation.

SB 435, AN ACT concerning personal package delivery devices; definitions; operating requirements and restrictions; exemption from motor vehicle requirements; preemption of local regulation; amending K.S.A. 2019 Supp. 8-126 and repealing the existing section, by Committee on Assessment and Taxation.

SB 436, AN ACT concerning education; relating to the definition of at-risk student; amending K.S.A. 2019 Supp. 72-5132 and repealing the existing section, by Committee on Education.

SB 437, AN ACT concerning electric utilities; relating to the state corporation commission; authorizing the approval and issuance of K-EBRA bonds; financing costs of electric utility property, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 414**.

Commerce: **SB 419**, **SB 424**.

Ethics, Elections and Local Government: **SB 423**.

Federal and State Affairs: **SB 417**.

Judiciary: **SB 415**, **SB 416**, **SB 420**, **SB 421**, **SB 422**.

Public Health and Welfare: **SB 425**.

Ways and Means: **SB 418**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Haley and Faust-Goudeau introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1758—

A RESOLUTION recognizing Kansas Black Legislative Day at the Capitol.

WHEREAS, February 13, 2020, is Kansas Black Legislative Day at the Capitol; and
 WHEREAS, February marks the annual celebration of Black History Month, a time for recognizing the central role of African Americans in the United States; and

WHEREAS, The goal of Kansas Black Legislative Day is to encourage African-American civic participation in Kansas by allowing attendees to meet legislators and to learn about the legislative process; and

WHEREAS, Kansas Black Legislative Day provides attendees the opportunity to meet members of the Kansas Black Legislative Caucus, view the Kansas House and Senate in session, and visit their legislator's offices; and

WHEREAS, Kansas Black Legislative Day also includes advocacy training that focuses on current bills important to the African-American community; and

WHEREAS, Kansas Black Legislative Day attendees will return to their local communities with the resources to empower, educate, and engage fellow Kansans on current issues at the Capitol; and

WHEREAS, The sponsors of Kansas Black Legislative Day are the Kansas African American Legislative Caucus, the Kansas African American Affairs Commission, the Kansas Black Leadership Council, and the Kansas State AFL-CIO; and

WHEREAS, The organizations participating in Kansas Black Legislative day include Alpha Phi Alpha Fraternity, Omega Psi Phi Fraternity, Alpha Kappa Alpha Sorority, Delta Sigma Theta Sorority, Zeta Phi Beta Sorority, the Kansas State Conference of NAACP Branches, the Wichita Council of Elders, and members of faith-based communities: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize today as Kansas Black Legislative Day at the Capitol; and

Be it further resolved: That the Secretary of the Senate shall send enrolled copies of this resolution to Kenya Cox, Bonita Gooch, Senator Haley and Senator Faust-Goudeau.

On emergency motion of Senator Haley **SR 1758** was adopted unanimously.

Senators Faust-Goudeau and Haley introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1759—

A RESOLUTION recognizing the members of Delta Sigma Theta Sorority, Inc. for their outstanding service to the citizens of our state, our nation, and the international community and for their promotion of sisterhood, scholarship, and service.

WHEREAS, Delta Sigma Theta Sorority, Inc., is a private, not-for-profit organization whose purpose is to provide assistance and support through established programs in local communities throughout the world in diverse fields relating to public service and the organization's five-point programmatic thrust: economic development, educational development, international awareness and involvement, physical and mental health, and political awareness and involvement; and

WHEREAS, On January 13, 1913, Delta Sigma Theta Sorority, Inc., was founded at Howard University in the District of Columbia by: Osceola Macarthy Adams, Marguerite Young Alexander, Winona Cargile Alexander, Ethel Cuff Black, Bertha Pitts Campbell, Zephyr Chisom Carter, Edna Brown Coleman, Jessie McGuire Dent, Frederica Chase Dodd, Myra Davis Hemmings, Olive C. Jones, Jimmie Bugg

Middleton, Pauline Oberdorfer Minor, Vashti Turley Murphy, Naomi Sewell Richardson, Mamie Reddy Rose, Eliza Pearl Shippen, Florence Letcher Toms, Ethel Carr Watson, Wertie Blackwell Weaver, Madree Penn White, and Edith Motte Young; and

WHEREAS, In March 1913, the founders of Delta Sigma Theta Sorority, Inc., participated in the Women's Suffrage March in the District of Columbia, the sorority's first public act; and

WHEREAS, Since its founding, more than 200,000 women have joined the organization. Delta Sigma Theta Sorority, Inc., has eight chapters in Kansas and a total of 1,000 chapters in the United States, England, Japan, Germany, the Virgin Islands, Bermuda, the Bahamas, and South Korea: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize the members of Delta Sigma Theta Sorority, Inc., for their outstanding service to the citizens of our state, our nation, and the international community and for their promotion of sisterhood, scholarship, and service; and

Be it further resolved: That the Secretary of the Senate shall send enrolled copies of this resolution to Trudy Baker, Teketa Harding, Sue Wilson, Senator Faust-Goudeau, and Senator Haley.

On emergency motion of Senator Faust-Goudeau **SR 1759** was adopted unanimously.

Senators Francisco, Faust-Goudeau, Pettey, Sykes and Ware introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1760—

A RESOLUTION recognizing the 100th Anniversary of the
League of Women Voters of the United States.

WHEREAS, On February 14, 1920, the League of Women Voters was founded as a forward-thinking experiment by the foremothers of the suffragist movement at the National American Women Suffrage Association; and

WHEREAS, The League's goal was to help the 20 million women who were granted the right to vote by the 19th Amendment understand and carry out their new responsibility as voters; and

WHEREAS, The success of its mission to empower voters and defend democracy, sustained by its tireless work over the last 100 years to uphold and further strengthen the mission, has made the League a trusted nonpartisan, grassroots organization; and

WHEREAS, The League has promoted legislation and fought in court to protect and strengthen voting rights for all Americans. Throughout its 100-year history, it has supported free and fair elections, civil rights, community health, and education; and

WHEREAS, The League has been recognized for providing nonpartisan election information, including the sponsorship of candidate forums, for providing information on state and local ballot issues, and for continually reaffirming its commitment to register, educate, and mobilize voters; and

WHEREAS, The League continues to champion government systems that are open, transparent, inclusive, and equitable; and

WHEREAS, The League believes that active and engaged citizens, irrespective of gender, ethnicity, or political affiliation, are the hallmark of democracy: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize February 14,

2020, as League of Women Voters Day in honor of its 100th Anniversary and in recognition of its significant contributions to empowering voters and making democracy work; and

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

On emergency motion of Senator Francisco **SR 1760** was adopted unanimously.

CHANGE OF REFERENCE

The President withdrew **SB 408** from the Committee on **Ways and Means**, and referred the bill to the Committee on **Federal and State Affairs**.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 272**, **SB 295** be passed.

Also, **SB 264** be amended on page 1, in line 27, after "(1)" by inserting "After notice and an opportunity to be heard in accordance with the provisions of the Kansas administrative procedure act,"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 305** be amended on page 4, in line 18, by striking "\$30,000" and inserting "\$50,000"; and the bill be passed as amended.

Also, **SB 342** be amended on page 2, in line 17, after the period by inserting "A person may at any time revoke the authorization to receive the notice electronically provided by this subsection, and any notice sent by the division after the date of the revocation shall be be mailed to such person."; and the bill be passed as amended.

SB 288, **SB 315** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Denning, the Senate adjourned until 8:00 a.m., Friday, February 14, 2020.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.

COREY CARNAHAN, *Secretary of the Senate*.

