

Journal of the Senate

THIRTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 10, 2020, 2:30 p.m.

The Senate was called to order by Vice President Longbine.

The roll was called with 39 senators present.

Senator Denning was excused.

The Vice President introduced guest pastor, Rev. Canon Shay Craig, Christ Episcopal Cathedral in Salina, to deliver the invocation:

Ladies and gentlemen, this afternoon I call for God's blessing on you and your work with the prayer attributed to St. Francis Assisi. It is a common and widely used prayer. You may know it well enough to say it with me and I invite you to do that silently or aloud. However as with all familiar prayers we run the risk of saying the words by rote, without considering their meaning or application specifically in our lives. And so I charge you, as the prayer lifts up individual examples of sin and suffering, to hold in your hearts, cases in your communities and constituencies where these conditions exist. I humbly ask God to use you to heal what is broken in the world. Let us pray,

Lord, make us instruments of your peace.

Where there is hatred, let us sow love;

where there is injury, pardon;

where there is discord, union;

where there is doubt, faith;

where there is despair, hope;

where there is darkness, light;

where there is sadness, joy.

O divine Master, grant that we may not

so much seek to be consoled as to console;

to be understood as to understand;

to be loved as to love.

For it is in giving that we receive;

it is in pardoning that we are pardoned;

and it is in dying that we are born to eternal life. 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 489, AN ACT concerning insurance; relating to motor vehicles, uninsured motorist coverage; right to reject coverage; amending K.S.A. 40-284 and repealing the

existing section, by Committee on Federal and State Affairs.

SB 490, AN ACT concerning health professions and practices; relating to audiologists and speech-language pathologists; licensure; enacting the audiology and speech-language pathology interstate compact, by Committee on Federal and State Affairs.

SB 491, AN ACT concerning public health; relating to infectious disease testing; crimes in which bodily fluids may have been transmitted from one person to another; amending the definition of infectious disease; amending K.S.A. 65-6009 and K.S.A. 2019 Supp. 65-6001 and repealing the existing sections, by Committee on Ways and Means.

SB 492, 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 Ways and Means.

SB 493, AN ACT concerning the healthcare stabilization fund; relating to coverage requirements; changing membership on the board of governors; providing for the dissolution of the fund under certain circumstances; amending K.S.A. 40-3606 and K.S.A. 2019 Supp. 40-3402, 40-3403 and 40-3408 and repealing the existing sections, by Committee on Ways and Means.

SB 494, AN ACT concerning crimes, punishment and criminal procedure; relating to conducting a pyramid promotional scheme; exemptions; amending K.S.A. 2019 Supp. 21-5838 and repealing the existing section, by Committee on Assessment and Taxation.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators McGinn, 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, Miller, Olson, Petersen, Pettey, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Thompson, Wagle, Ware and Wilborn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1767—

A RESOLUTION supporting the extension of Amtrak passenger rail service between Oklahoma City, Oklahoma, and Newton, Kansas.

WHEREAS, Numerous studies conducted by universities in Texas and Kansas have determined the economic benefit of Amtrak's Heartland Flyer passenger rail service and its extension to be at least three to one for every dollar spent; and

WHEREAS, In 2010, the state of Kansas passed legislation authorizing a state passenger rail program; and

WHEREAS, The Kansas Department of Transportation has been the recipient of several federal Transportation Investment Generating Economic Recovery (TIGER) grants that have improved the Southwest Chief tracks. The Southwest Chief serves several communities in the state of Kansas and laid the groundwork for the planning and development of expanded passenger rail services; and

WHEREAS, The Kansas Department of Transportation has introduced the new FORWARD Kansas transportation plan, which includes the development of the Heartland Flyer extension from Oklahoma City, Oklahoma, to Newton, Kansas; and

WHEREAS, Ridership on the Heartland Flyer extension from Oklahoma City,

Oklahoma, to Newton, Kansas, is anticipated to double if connected with the Southwest Chief in Newton, Kansas. Fully funded maintenance of the Southwest Chief is an integral and vital component of the Heartland Flyer extension; and

WHEREAS, Amtrak has approached the state of Kansas to enter into a multi-operational partnership for an extended Heartland Flyer, with connecting service between Amtrak's Southwest Chief and Texas Eagle; and

WHEREAS, The Governor of the State of Kansas has proposed to dedicate funds in the state's budget for preliminary work for the development of additional passenger rail service; and

WHEREAS, One of the primary responsibilities of state government is to plan for the immediate and long-term transportation needs of the state; and

WHEREAS, Passenger rail service generates economic and environmental benefits throughout the state and region; and

WHEREAS, While extensive capital expenditures are necessary for the restoration of rail services between Newton, Kansas, and Oklahoma City, Oklahoma, the federal government will likely reauthorize funding for the Fixing America's Surface Transportation (FAST) Act; and

WHEREAS, Amtrak has presented to the 2020 Committee on Ways and Means of the Kansas Senate a plan to request 100% federal funding for the passenger rail development, the Heartland Flyer extension, through reauthorization: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the Senate supports and endorses the extension of Amtrak service between Oklahoma City, Oklahoma, and Newton, Kansas; and

Be it further resolved: That the Senate urges the Kansas congressional delegation to support the inclusion of federal funding for the full implementation and development of the Heartland Flyer extension from Oklahoma City, Oklahoma, to Newton, Kansas, in the upcoming reauthorization; and

Be it further resolved: That the Senate urges the Kansas congressional delegation to support the inclusion of full federal funding for the maintenance of the Southwest Chief in the upcoming reauthorization; and

Be it further resolved: That the Senate supports a multi-state partnership between Amtrak and the states through which the service will operate; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to each member of the Kansas congressional delegation, the Secretary of the United States Department of Transportation and Senator McGinn.

On emergency motion of Senator McGinn **SR 1767** was adopted unanimously.

CHANGE OF CONFERENCE

The Vice President appointed Senators McGinn and Hawk to replace Senators Olson and Ware as members of the conference committee on **SB 66**.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce** recommends **Sub HB 2506**, as amended by House Committee of the Whole, be passed.

Also, **SB 474** be amended on page 1, in line 28, after the period by inserting ""Postsecondary educational institution" shall not include any accredited not-for-profit postsecondary educational institution with a physical presence in this state that is

exempted from the Kansas private and out-of-state postsecondary educational institution act if such institution elects to be exempted from the provisions of this act."; and the bill be passed as amended.

On motion of Senator Petersen, the Senate adjourned until 2:30 p.m., Wednesday, March 11, 2020.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

