

Journal of the Senate

SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 16, 2018, 2:30 p.m.

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

Lord, we come again, bowing in prayer. And Lord, when we bow, let us not be disingenuous or insincere in our humility. Let the outward be a true reflection of the inner. Let it be a sign of true humility.

In Isaiah 6:1, the prophet revealed that seeing You exalted was humbling to him. Lord, in a like manner, help us to picture You in exalted greatness. Help us to see that You are far greater than all Your creation. The prophet said that in seeing You exalted, he was humbled when looking at himself.

History, experience and Your Words reveal that we can see at a higher level...we can see more clearly, when we look at things through your eyes...when we observe and make decisions, viewing from Your higher perspective.

Lord, in 1972 Johnny Nash gave us a song that we're asking You to put on our hearts. He said, "I can see clearly now, the rain is gone. I can see all obstacles in my way. Gone are the dark clouds that had me blind. It's gonna be a bright, bright Sun-Shiny day." And it seems like he knew that his ability to see things more clearly was coming from You, because he went on to say... "Here is the rainbow I've been prayin' for...it's gonna be a bright..."

And Lord, that's what we're praying for. Clear things up for us; for all levels of government, here in Kansas and all across this land; for all who serve in trying, stressful situations, give the wisdom, guidance and resources that only flow from Your righteous and mighty hand.

I'm coming to You in the precious Name of Jesus. Amen and Amen.

The Pledge of Allegiance was led by President Wagle.

POINT OF PERSONAL PRIVILEGE

Senator Hilderbrand rose on a Point of Personal Privilege to recognize a group of ministers visiting the Statehouse from across Kansas. He thanked them for their faith and serving their communities. Senators honored the guests with a round of applause.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 278, AN ACT concerning public utilities; relating to the citizens' utility ratepayer board; powers of the consumer counsel; amending K.S.A. 66-1223 and repealing the existing section, by Committee on Utilities.

SB 279, AN ACT concerning utilities; relating to the gas safety reliability surcharge, definitions; amending K.S.A. 2017 Supp. 66-2202, 66-2203 and 66-2204 and repealing the existing sections, by Committee on Utilities.

SB 280, AN ACT concerning family law; relating to parentage; legal custody, residency and parenting time; amending K.S.A. 2017 Supp. 23-2201 and 23-2215 and repealing the existing sections; also repealing K.S.A. 2017 Supp. 23-2225, by Committee on Judiciary.

SB 281, AN ACT concerning human trafficking and related crimes; relating to protection orders; protection from stalking, sexual assault or human trafficking act; amending K.S.A. 2017 Supp. 21-5924, 60-31a01, 60-31a02, 60-31a03, 60-31a04, 60-31a05, 60-31a06, 60-31a07, 60-31a08 and 60-31a09 and repealing the existing sections, by Committee on Judiciary.

SB 282, AN ACT concerning the uniform controlled substances act; relating to substances included in schedules I, II and III; amending K.S.A. 2017 Supp. 65-4105, 65-4107 and 65-4109 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 283, AN ACT concerning the regulation of financial institutions; relating to trust companies; office of the state bank commissioner; powers, duties and experience of certain employees; amending K.S.A. 2017 Supp. 9-1609, 9-1720, 9-1721 and 75-3135 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 284, AN ACT concerning financial institutions; updating the Kansas money transmitter act; amending K.S.A. 2017 Supp. 9-512 and 9-513 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 285, AN ACT concerning roads and highways; establishing the joint legislative transportation task force; relating to the evaluation of the state highway fund and the state highway transportation system; report to the legislature, by Committee on Ways and Means.

SB 286, AN ACT concerning agriculture; relating to the Kansas pet animal act; amending K.S.A. 47-1702, 47-1703, 47-1704, 47-1719, 47-1720, 47-1733, 47-1734 and 47-1736 and K.S.A. 2017 Supp. 47-1701, 47-1721 and 47-1723 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

SB 287, AN ACT concerning agriculture; relating to the Kansas department of agriculture; activities requiring a live plant dealer's license; license renewal dates and late fees; amending K.S.A. 47-1208 and K.S.A. 2017 Supp. 2-2120, 2-2440, 2-2440b, 2-2905, 36-505, 47-1001e, 47-1503, 47-1805, 47-2101 and 65-691 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Judiciary: **SB 277**.

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 56, the following appointments submitted by the Governor to the Senate for confirmation were considered.

Senator Denning moved the following appointments be confirmed as recommended by the Committee on **Confirmation and Oversight**.

By the Governor

On the appointment to the:

Kansas Development Finance Authority:

Craig Anderson, Term ends January 15, 2021

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Regents:

Daniel Bangert, Term ends June 30, 2021

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Nays: Hensley.

Absent or Not Voting: Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Public Employee Relations Board:

David Billingsley, Term ends March 15, 2021

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Human Rights Commission:

David Brant, Term ends January 15, 2021

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Public Employees Retirement Board of Trustees:

James Cusser, Term ends January 15, 2019

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Development Finance Authority:

Chris Donnelly, Term ends January 15, 2021

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Racing and Gaming Commission:

Brandon Jones, Term ends January 15, 2021

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor,

Tyson, Wagle, Wilborn.

Absent or Not Voting: Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Human Rights Commission:

Michael Kane, Term ends January 15, 2021.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Kurt Knutson, Term ends March 15, 2019

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Irvin Mitchell, Term ends March 15, 2020

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Regents:

Ann Brandau-Murguia, Term ends June 30, 2021

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not

Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Nays: Pettey.

Absent or Not Voting: Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Development Finance Authority:

Suchitra Padmanabhan, Term ends January 15, 2021

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Civil Service Board:

Allen Schmidt, Term ends March 15, 2021

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Regents:

Helen Van Etten, Term ends June 30, 2021

On roll call, the vote was: Yeas 37; Nays 2; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Nays: Faust-Goudeau, Hensley.

Absent or Not Voting: Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Human Rights Commission:

Jonathon Westbrook, Term ends January 15, 2019

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Leonard Wolfe, Term ends March 15, 2020

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Indigents Defense Services:

Ronald Wurtz, Term ends January 15, 2020

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Faust-Goudeau, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pettey, Pilcher-Cook, Pyle, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Wilborn.

Absent or Not Voting: Holland.

The appointment was confirmed.

MESSAGE FROM THE HOUSE

Announcing adoption of **HCR 5021**, a concurrent resolution providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Supreme Court.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HCR 5021, A CONCURRENT RESOLUTION providing for a joint session of the Senate and the House of Representatives for the purpose of hearing a message from the Supreme Court, was introduced and read by title.

On emergency motion of Senator Denning, **HCR 5021** was adopted by voice vote.

The President appointed Senators Wilborn and Hensley to escort the Supreme Court.

On motion of Senator Denning, the Senate adjourned until 2:30 p.m., Wednesday, January 17, 2018.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.

COREY CARNAHAN, *Secretary of the Senate*.

