

Journal of the Senate

TWENTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 5, 2018, 2:30 p.m.

The Senate was called to order by Vice President Jeff Longbine.

The roll was call with 39 senators present.

Senator Holland was excused.

Vice President Longbine introduced guest chaplain, Elias B. Bracamonte, Associate Pastor, Topeka Highland Park Baptist Church, who delivered the invocation:

Our Father in heaven, thank You so much for allowing us to come to You in prayer.

Your Word tells us that You will "hear from heaven, and will forgive their sin and heal their land; if My people who are called by My name will humble themselves and pray and seek My face and turn from their wicked ways,"

Today, dear Lord, grant us the blessing of Your providence to meet our needs and Your continued blessings that You have bestowed upon us. We acknowledge Your Sovereignty as Lord of lords and King of kings. Knowing that apart from You we can do nothing. And nothing can be done unless You allow it.

So this afternoon, Lord, bless this gathering of the senate in this sacred place. Bless their respective staff and committees as You lead them, that they will make the right decisions at the right time for all the people of this great state of Kansas.

And, thank You for their time and effort and bless their families and constituents.

"May the Lord bless you and keep you, may the Lord make His face shine upon you, and may be gracious to you, and may the Lord lift up His countenance upon you." For we pray in the Name of Jesus the Christ, 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 368, AN ACT concerning the state corporation commission; relating to the record for commission orders, inclusion of public comments; amending K.S.A. 66-117 and repealing the existing section, by Committee on Utilities.

SB 369, AN ACT concerning the Kansas highway patrol; relating to minimum rank for certain persons; amending K.S.A. 2017 Supp. 74-2113 and repealing the existing section, by Committee on Utilities.

SB 370, AN ACT concerning municipalities; related to filling vacancies on governing bodies, by Committee on Ethics, Elections and Local Government.

SB 371, AN ACT concerning the Kansas sexually violent predator act; relating to custody and detention before determination that a person is subject to civil

commitment; amending K.S.A. 2017 Supp. 59-29a05 and repealing the existing section, by Committee on Judiciary.

SB 372, AN ACT concerning crimes, punishment and criminal procedure; relating to definitions in the Kansas criminal code; possession; amending K.S.A. 2017 Supp. 21-5111 and repealing the existing section, by Committee on Judiciary.

SB 373, AN ACT concerning county hospitals; amending K.S.A. 19-4625 and repealing the existing section, by Committee on Judiciary.

SB 374, AN ACT concerning driving under the influence; relating to testing; administrative penalties; crimes, punishment and criminal procedure; amending K.S.A. 8-2,137 and 8-2,145 and K.S.A. 2017 Supp. 8-2,142, 8-2,144, 8-1001, 8-1002, 8-1012, 8-1013, 8-1020, 8-1024, 8-1025, 8-1567, 65-1,107 and 75-712h and repealing the existing sections, by Committee on Judiciary.

SB 375, AN ACT regulating traffic; relating to length of vehicles, certain vehicle combinations; amending K.S.A. 2017 Supp. 8-1904 and repealing the existing section, by Committee on Transportation.

SB 376, AN ACT concerning tobacco; relating to rates of taxation, cigarettes and tobacco products; creating the cigarette and tobacco cessation fund; amending K.S.A. 79-3371 and K.S.A. 2017 Supp. 79-3310, 79-3310c, 79-3311, 79-3312, 79-3378 and 79-3387 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 377, AN ACT concerning health and healthcare; relating to the practice of pharmacy; authorizing pharmacists to administer a drug by injection pursuant to a prescription order; amending K.S.A. 2017 Supp. 65-1626 and repealing the existing section, by Committee on Public Health and Welfare.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 364**, **SB 365**.

Assessment and Taxation: **SB 367**.

Education: **SB 366**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2042**, **HB 2145**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2042, **HB 2145** were thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Ethics, Elections and Local Government** recommends **HB 2256**, as amended by Senate Committee, be amended by adoption of the amendments recommended by the Senate Committee on Ethics, Elections and Local Government as reported in the Journal of the Senate on March 24, 2017, and the bill as printed with amendments of the Senate Committee be further amended, on page 1, in line 6, by striking "2016" and inserting "2017"; in line 25, by striking "or" and inserting a comma; also in line 25, after "highway" by inserting "or driveway or on private property that is not used as a polling place"; in line 30, by striking "2016" and inserting "2017"; in line

33, by striking "2016" and inserting "2017";

On page 2, in line 1, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 2, by striking "2016" and inserting "2017"; and the bill be passed as amended.

Also, **HB 2333**, as amended by Senate Committee, be amended by adoption of the amendments recommended by the Senate Committee on Ethics, Elections and Local Government as reported in the Journal of the Senate on March 24, 2017, and the bill be further amended on page 1, in line 21, by striking all after the stricken language; in line 22, by striking all before the period and inserting "all races except: (1) Races involving judges; (2) uncontested races; and (3) races where the margin was more than 30%. Only one local race shall be selected for audit in odd-numbered year elections";

On page 2, in line 8, by striking "2018" and inserting "2019"; in line 9, by striking "2016" and inserting "2017"; in line 25, by striking "2016" and inserting "2017";

On page 3, in line 15, by striking "2016" and inserting "2017";

On page 4, in line 10, by striking "2016" and inserting "2017";

On page 1, in the title, in line 1, by striking "2016" and inserting "2017"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 285** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL NO. 285," as follows:

"Substitute for SENATE BILL NO. 285

By Committee on Ways and Means

"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.";

And the substitute bill be passed.

Also, **SB 276** be amended on page 1, in line 19, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

On motion of Senator Denning, the Senate adjourned until 2:30 p.m., Tuesday, February 6, 2018.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

