

Journal of the Senate

THIRTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 25, 2019, 2:30 p.m.

The Senate was called to order by President Susan Wagle.

The roll was called with 39 senators present.

Senator Estes was excused.

Invocation by Reverend Cecil T. Washington:

Lord, hear we are again, grateful for Your provision. You've continued to sustain and keep us in Your care. As we take on the challenges that face us during this time, keep us from being so proud of our abilities that we think, "We've got this!"

For too often in the past You've allowed us to fall on our faces, so as to reveal our inadequacies when we're not leaning and depending upon You. In 2 Corinthians 12:6-9, the Apostle Paul admitted that he was forced to deal with a recurring problem that was too much for him. He said You allowed him to experience the enormity of the problem that it might humble him, that his inability to fix it would keep him looking to You and, in meekness, depending upon You. You then gave him the same assurance that we are seeking, that the provision of Your grace, the desire and power that comes from You, will be sufficient to meet the needs of today.

We've learned that You don't save us from problems...You don't take them away, You save us while we're facing them...while we're in them. You open our eyes to the reality that You are the Real Problem Solver. So, Lord, help us to just be vessels, just humble vessels of Your grace. I offer this petition, in the Name of the Savior, 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 216, AN ACT concerning state moneys; relating to allowable investments of state moneys; securities issued by the state of Israel; amending K.S.A. 2018 Supp. 75-4209 and repealing the existing section, by Committee on Federal and State Affairs.

SB 217, AN ACT concerning insurance; relating to health insurance; requiring the state healthcare benefits program to accept participation as a provider by any willing pharmacist, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Judiciary: **SB 211, SB 212, SB 213, SB 214, SB 215.**

CHANGE OF REFERENCE

An objection having been made to **SB 109** appearing on the **Consent Calendar**, the President directed the bill be removed and placed on the calendar under the heading of **General Orders**.

The President withdrew **SB 168** from the Committee on **Commerce**, and referred the bill to the Committee on **Ways and Means**.

The President withdrew **SB 157** from the Committee on **Judiciary**, and referred the bill to the Committee on **Ways and Means**.

The President withdrew **SB 122** from the Committee on **Public Health and Welfare**, and referred the bill to the Committee on **Ways and Means**.

The President withdrew **SB 156** from the Committee on **Education**, and referred the bill to the Committee on **Senate Select Committee on Education Finance**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2007**, **HB 2085**, **HB 2101**, **HB 2119**,

Also, announcing passage of **SB 9**.

Announcing passage of **HB 2201**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2007, **HB 2085**, **HB 2101**, **HB 2119**, **HB 2201** were thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

The Committee on **Agriculture and Natural Resources** recommends **SB 152** be amended on page 9, in line 35, after "wells" by inserting ", but in no case shall such fees exceed \$400, except any facility fee, which shall not exceed \$4,000"; following line 40, by inserting:

"Sec. 3. K.S.A. 65-4513 is hereby amended to read as follows: 65-4513. The secretary shall establish a reasonable schedule of fees, but in no case shall an individual operator fee exceed ~~twenty-five dollars (\$25) in any one year~~ \$125.";

On page 11, following line 3, by inserting:

"(e) No fees assessed pursuant to this section shall exceed \$100, except the water well contractor license fee, which shall not exceed \$200.";

Also on page 11, in line 4, after "65-171d" by inserting ", 65-4513";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "65-171d" by inserting ", 65-4513"; and the bill be passed as amended.

Committee on **Assessment and Taxation** recommends **SB 125**, **SB 178** be passed.

Also, **SB 135** be amended on page 1, in line 15, after "Ellsworth," by inserting "Ford,"; in line 18, after "Meade," by inserting "Miami,,"; and the bill be passed as amended.

SB 140 be amended on page 1, in line 5, by striking "all"; in line 6, after the comma by inserting "and before January 1, 2024,,"; in line 7, after "act" by inserting "and the privilege tax pursuant to K.S.A. 79-1106 et seq., and amendments thereto,,"; also in line 7, by striking "70%" and inserting "50%"; in line 9, after "thereto," by inserting "or subject to the privilege tax pursuant to K.S.A. 79-1107 and 79-1108, and amendments thereto,,"; in line 18, after "thereto" by inserting ", or the privilege tax on financial

institutions pursuant to K.S.A. 79-1107 and 79-1108, and amendments thereto"; in line 22, after "act" by inserting "or the privilege tax"; in line 24, after "income" by inserting "or privilege"; in line 26, after "income" by inserting "or privilege"; on page 1, in the title, in line 1, by striking "income"; also in line 1, after "to" by inserting "income and privilege tax;" and the bill be passed as amended.

Committee on **Commerce** recommends **SB 27** be passed.

Committee on **Education** recommends **SB 199** be passed.

Committee on **Ethics, Elections and Local Government** recommends **SB 129** be passed.

Also, **SB 130** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL NO. 130," as follows:

"Substitute for SENATE BILL NO. 130

By Committee on Ethics, Elections and Local Government

"AN ACT concerning elections; relating to advance ballots; amending K.S.A. 2018 Supp. 25-1124 and repealing the existing section."; and the substitute bill be passed.

SB 131 be amended on page 1, in line 19, after "election" by inserting "date"; and the bill be passed as amended.

SCR 1605 be adopted.

The Committee on **Federal and State Affairs** recommends **SB 70** be amended on page 4, in line 10, by striking "distributor" and inserting "retailer and the retailer may pay the distributor"; in line 13, by striking "licensee" and inserting "retailer or farm winery";

On page 9, in line 27, after "a" by inserting "public venue, hotel, hotel caterer, drinking establishment caterer or"; in line 38, after "a" by inserting "public venue, hotel, hotel caterer, drinking establishment caterer or";

On page 15, in line 12, by striking "not"; in line 13, by striking all before the colon; also in line 13, by striking "One-half ounce of"; also in line 13, by striking "one ounce of"; in line 14, by striking "two ounces of"; in line 15, by striking all after "beverage"; in line 16, by striking "spirits" and inserting "may also be served"; following line 36, by inserting:

"Sec. 11. K.S.A. 2018 Supp. 41-2622 is hereby amended to read as follows: 41-2622. (a) At the time application is made to the director for a license pursuant to the club and drinking establishment act, the applicant shall pay the following license fee in the manner provided by K.S.A. 41-2606, and amendments thereto:

(1) For a class A club which is a bona fide nonprofit fraternal or war veterans' club, as defined by rules and regulations of the secretary, \$500;

(2) for a class A club which is a bona fide nonprofit social club, as defined by rules and regulations of the secretary, and which has not more than 500 members, \$1,000;

(3) for a class A club which is a bona fide nonprofit social club, as defined by rules and regulations of the secretary, and which has more than 500 members, \$2,000;

(4) for a class B club, \$2,000;

(5) for a caterer, \$1,000;

(6) for a drinking establishment, \$2,000;

(7) for a hotel of which the entire premises are licensed as a drinking establishment, \$6,000;

- (8) for a drinking ~~establishment/caterer~~ establishment caterer, \$3,000;
- (9) for a drinking ~~establishment/caterer~~ establishment caterer, if the drinking establishment is a hotel of which the entire premises are licensed as a drinking establishment, \$7,000;
- (10) for a public venue with a maximum capacity of not more than 10,000 persons, \$5,000;
- (11) for a public venue with a maximum capacity of not more than 25,000 persons, \$7,500; and
- (12) for a public venue with a maximum capacity exceeding 25,000 persons, \$10,000.

(b) In addition to the fee provided by subsection (a), any city where the licensed premises of a club or drinking establishment are located or, if such licensed premises are not located in a city, the board of county commissioners of the county where the licensed premises are located may levy and collect a biennial occupation or license tax from the licensee in an amount equal to not less than \$200 nor more than \$500.

(c) In addition to the fee provided by subsection (a), any city where the licensed premises of a public venue is located or, if such licensed premises is not located in a city, the board of county commissioners of the county where the licensed premises is located may levy and collect a biennial occupation or license tax from the licensee in an amount not more than \$1,000.

(d) No occupational or excise tax or license fee other than that authorized by subsection (b) or (c) shall be levied by any city or county against or collected from a licensed public venue, club or drinking establishment.

(e) The director shall remit all moneys received under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Of each such deposit, 50% shall be credited to the state general fund, and the remaining 50% shall be credited to the other state fees fund of the Kansas department for aging and disability services. In addition to other purposes for which expenditures may be made from the other state fees fund of the Kansas department for aging and disability services, expenditures may be made by the secretary for aging and disability services for the purpose of implementing the powers and duties of the secretary under the provisions of K.S.A. 65-4006 and 65-4007, and amendments thereto.

Sec. 12. K.S.A. 2018 Supp. 41-2637 is hereby amended to read as follows: 41-2637. (a) A license for a class A club shall allow the licensee to: (1) Offer for sale, sell and serve alcoholic liquor for consumption on the licensed premises by members and their families, and guests accompanying them; and (2) serve samples of alcoholic liquor free of charge for consumption by members and their families and guests accompanying them.

No charge of any sort may be made for a sample serving. ~~A person may be served no more than five samples per visit.~~ Samples may not be served to a minor. No samples may be removed from the licensed premises. No consideration shall be requested or required for entry onto the premises, participation in any event taking place on the premises or to remain on the premises.

(b) (1) Subject to the provisions of subsection (b)(2), any two or more class A or class B clubs may permit, by an agreement filed with and approved by the director, the

members of each such club to have access to all other clubs which are parties to such agreement. The privileges extended to the visiting members of other clubs under such an agreement shall be determined by the agreement and, if the agreement so provides, any club which is a party to such agreement may sell, offer for sale and serve, to any person who is a member of another club which is a party to such agreement, alcoholic liquor for consumption on the licensed premises by such person and such person's family, and guests accompanying them.

(2) A class B club may enter into a reciprocal agreement authorized by subsection (b)(1) only if the class B club is a restaurant.

(c) A licensee may store on its premises wine sold to a customer for consumption at a later date on its premises in the unopened container. Such wine must be kept separate from all other alcohol stock and in a secure locked area separated by customer. Such wine shall not be removed from the licensed premises in its unopened condition.

Sec. 13. K.S.A. 2018 Supp. 41-2641 is hereby amended to read as follows: 41-2641. (a) A license for a class B club shall allow the licensee to: (1) Offer for sale, sell and serve alcoholic liquor for consumption on the licensed premises by members of such club and guests accompanying them; and (2) serve samples of alcoholic liquor free of charge on the licensed premises for consumption by such members and their families and guests accompanying them.

No charge of any sort may be made for a sample serving. ~~A person may be served no more than five samples per visit.~~ Samples may not be served to a minor. No samples may be removed from the licensed premises. Providing samples is prohibited for any licensee who charges a cover charge or entry fee at any time during the business day. No consideration shall be requested or required for entry onto the premises, participation in any event taking place on the premises or to remain on the premises.

(b) (1) Subject to the provisions of subsection (b)(2), any two or more class A or class B clubs may permit, by an agreement filed with and approved by the director, the members of each such club to have access to all other clubs which are parties to such agreement. The privileges extended to the visiting members of other clubs under such an agreement shall be determined by the agreement and, if the agreement so provides, any club which is a party to such agreement may sell, offer for sale and serve, to any person who is a member of another club which is a party to such agreement, alcoholic liquor for consumption on the licensed premises by such person and such person's family, and guests accompanying them.

(2) A class B club may enter into a reciprocal agreement authorized by subsection (b)(1) only if the class B club is a restaurant.

(c) Except as provided by subsection (d), an applicant for membership in a class B club shall, before becoming a member of such club:

- (1) Be screened by the club for good moral character; and
- (2) pay an annual membership fee of not less than \$10.

(d) Notwithstanding the membership fee requirement of subsection (c):

(1) Any class B club located on the premises of a hotel or RV resort may establish rules whereby a guest, who registered at the hotel or RV resort and who is not a resident of the county in which the club is located, may file application for temporary membership in such club. The membership, if granted, shall be valid only for the period of time that the guest is a bona fide registered guest at the hotel or RV resort and such temporary membership shall not be subject to the fee requirement of this section.

(2) Any class B club located on property which is owned or operated by a municipal airport authority and upon which consumption of alcoholic liquor is authorized by law may establish rules whereby an air traveler who is a holder of a current airline ticket may file application for temporary membership in such club for the day such air traveler's ticket is valid, and such temporary membership shall not be subject to the fee requirement of this section.

(3) Any class B club may establish rules whereby military personnel of the armed forces of the United States on temporary duty and housed at or near any military installation located within the exterior boundaries of the state of Kansas may file application for temporary membership in such club. The membership, if granted, shall be valid only for the period of the training, not to exceed 20 weeks. Any person wishing to make application for temporary membership in a class B club under this subsection (d)(3) shall present the temporary duty orders to the club. Temporary membership issued under this subsection (d)(3) shall not be subject to the fee requirements of this section.

(4) Any class B club may enter into a written agreement with a hotel or RV resort whereby a guest who is registered at the hotel or RV resort and who is not a resident of the county in which the club is located may file application for temporary membership in such club. The temporary membership, if granted, shall be valid only for the period of time that the guest is a bona fide registered guest at the hotel or RV resort and shall not be subject to the fee requirement of this section. A club may enter into a written agreement with a hotel or RV resort pursuant to this provision only if: (A) The hotel or RV resort is located in the same county as the club; (B) there is no class B club located on the premises of the hotel or RV resort; and (C) no other club has entered into a written agreement with the hotel or RV resort pursuant to this section.

(5) Any class B club located in a racetrack facility where races with parimutuel wagering are conducted under the Kansas parimutuel racing act may establish rules whereby persons attending such races may file an application for temporary membership in such club for the day such person is attending such races, and such temporary membership shall not be subject to the fee requirement of this section.

(e) A licensee may store on its premises wine sold to a customer for consumption at a later date on its premises in the unopened container. Such wine must be kept separate from all other alcohol stock and in a secure locked area separated by customer. Such wine shall not be removed from the licensed premises in its unopened condition.

Sec. 14. K.S.A. 2018 Supp. 41-2642 is hereby amended to read as follows: 41-2642. (a) A license for a drinking establishment shall allow the licensee to offer for sale, sell and serve alcoholic liquor for consumption on the licensed premises which may be open to the public, and to serve samples of alcoholic liquor free of charge on licensed premises subject to the requirements of subsection (c), but only if such premises are located in a county where the qualified electors of the county:

(1) (A) Approved, by a majority vote of those voting thereon, the proposition to amend section 10 of article 15 of the constitution of the state of Kansas at the general election in November 1986; or (B) have approved a proposition to allow sales of alcoholic liquor by the individual drink in public places within the county at an election pursuant to K.S.A. 41-2646, and amendments thereto; and

(2) have not approved a proposition to prohibit such sales of alcoholic liquor in such places at a subsequent election pursuant to K.S.A. 41-2646, and amendments

thereto.

(b) A drinking establishment shall be required to derive from sales of food for consumption on the licensed premises not less than 30% of all the establishment's gross receipts from sales of food and beverages on such premises unless the licensed premises are located in a county where the qualified electors of the county:

(1) Have approved, at an election pursuant to K.S.A. 41-2646, and amendments thereto, a proposition to allow sales of alcoholic liquor by the individual drink in public places within the county without a requirement that any portion of their gross receipts be derived from the sale of food; and

(2) have not approved a proposition to prohibit such sales of alcoholic liquor in such places at a subsequent election pursuant to K.S.A. 41-2646, and amendments thereto.

(c) No charge of any sort may be made for a sample serving. ~~A person may be served no more than five samples per visit.~~ Samples may not be served to a minor. No samples may be removed from the licensed premises. Providing samples is prohibited for any licensee who charges a cover charge or entry fee at any time during the business day. No consideration shall be requested or required for entry onto the premises, participation in any event taking place on the premises or to remain on the premises.

(d) A drinking establishment shall specify in the application for a license or renewal of a license the premises to be licensed, which may include all premises which are in close proximity and are under the control of the applicant or licensee.

(e) Notwithstanding any other provision of law to the contrary, any hotel of which the entire premises are licensed as a drinking establishment or as a drinking establishment/caterer may sell alcoholic liquor or cereal malt beverage by means of minibars located in guest rooms of such hotel, subject to the following:

(1) The key, magnetic card or other device required to attain access to a minibar in a guest room shall be provided only to guests who are registered to stay in such room and who are 21 or more years of age;

(2) containers or packages of spirits or wine sold by means of a minibar shall hold not less than 50 nor more than 200 milliliters; and

(3) a minibar shall be restocked with alcoholic liquor or cereal malt beverage only during hours when the hotel is permitted to sell alcoholic liquor and cereal malt beverage as a drinking establishment.

(f) A drinking establishment may store on its premises wine sold to a customer for consumption at a later date on its premises in the unopened container. Such wine must be kept separate from all other alcohol stock and in a secure locked area separated by customer. Such wine shall not be removed from the licensed premises in its unopened condition.";

Also on page 15, in line 38, after "2608" by inserting ", 41-2622, 41-2637, 41-2641, 41-2642";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "and" and inserting a comma; also in line 2, after "41-2608" by inserting ",41-2622, 41-2637, 41-2641 and 41-2642"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 81** be passed.

Also, **SB 80** be amended on page 2, in line 31, after "character" by inserting ", but does not include an ordinary pocked knife with no blade longer than four inches"; in

line 33, by striking ", ammunition"; following line 33, by inserting:

"(d) This section does not apply to a person possessing a knife when used as a tool in connection with lawful employment or a kitchen knife used as intended for food preparation or consumption.";

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

SB 108 be amended on page 1, following line 4, by inserting "WHEREAS, The provisions of K.S.A. 2018 Supp. 21-5405 and 21-5602, as amended by this act, shall be known as Mireya's law.

Now, therefore:";

On page 2, in line 17, by striking "3" and inserting "4"; by striking all in lines 22 through 43;

By striking all on page 3;

On page 4, by striking all in lines 1 through 14; in line 15, by striking the comma and inserting "and"; also in line 15, by striking "and 38-2271";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "children; relating to crimes and punishment;" and inserting "crimes, punishment and criminal procedure; relating to"; in line 2, by striking all after the second semicolon; in line 3, by striking all before "amending"; in line 4, by striking the comma and inserting "and"; also in line 4, by striking "and 38-2271"; and the bill be passed as amended.

SB 133 be amended on page 4, in line 10, by striking all after "weapon"; in line 11, by striking "but"; in line 18, after "may" by inserting "either: (A)"; in line 19, by striking "licensed" and inserting "properly licensed federal firearms"; in line 20, after "owner" by inserting "; or (B) bring an action in an appropriate court to request a court order to transfer the weapon as allowed by law"; and the bill be passed as amended.

SB 134 be amended on page 1, in line 9, by striking ", counterfeiting"; in line 13, by striking all after "been"; in line 14, by striking all before the semicolon and inserting "made, forged or altered with the intent to defraud"; in line 16, by striking the second comma; in line 17, by striking "counterfeit"; and the bill be passed as amended.

The Committee on **Public Health and Welfare** recommends **SB 61** be amended on page 2, by striking all in lines 20 through 43;

By striking all on page 3;

On page 4, by striking all in lines 1 through 34; in line 35, by striking ", 65-2802 and 65-2872 are" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "classification as a branch of the healing arts;"; in line 3, by striking all before "amending"; also in line 3, by striking ", 65-2802 and 65-2872"; in line 4, by striking "sections" and inserting "section"; and the bill be passed as amended.

Also, **SB 162** be amended on page 1, in line 20, after "within" by inserting "a time period established by the Kansas department for children and families, not to exceed"; also in line 20, after "hours" by inserting a comma; in line 29, by striking "identity" and inserting "age and sex"; also in line 29, after "missing" by inserting ", if a different placement was previously determined to be more appropriate for the child but was unavailable for any reason"; following line 31, by inserting:

"(3) For any child who is reported as having spent an overnight period in a facility

under the control of a contractor in accordance with this subsection, the foster care case management contractor shall include the reasons why the child spent such overnight period in such facility.

(4) For any child reported in accordance with this subsection, the Kansas department for children and families shall add to such report which of the top five recommendations, if any, by the child welfare system task force have been implemented or addressed by the legislature.";

Also on page 1, in line 32, by striking "Within 48 hours of receipt of" and inserting "After receiving"; in line 33, after "shall" by inserting "notify"; in line 34, by striking "Notify"; also in line 34, by striking "and the legislature of such missing child" and inserting ", within 24 hours of receiving such notice"; in line 35, by striking "cause such information to be published in" and inserting "each member of the legislature and";

On page 2, in line 1, by striking the first "in"; in line 2, after "county" by inserting ", within 48 hours of receiving such notice"; and the bill be passed as amended.

SB 193 be amended on page 19, following line 4, by inserting:

"Sec. 25. K.S.A. 65-6306 is hereby amended to read as follows: 65-6306. (a) The board shall issue a license as a baccalaureate social worker to an applicant who:

(1) Has a baccalaureate degree from an accredited college or university, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations adopted by the board;

(2) has passed an examination approved by the board for this purpose; and

(3) has satisfied the board that the applicant is a person who merits the public trust.

(b) The board shall issue a license as a master social worker to an applicant who:

(1) Has a master's degree from an accredited college or university, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations adopted by the board;

(2) has passed an examination approved by the board for this purpose; and

(3) has satisfied the board that the applicant is a person who merits the public trust.

(c) The board shall issue a license in one of the social work specialties to an applicant who:

(1) Has a master's or doctor's degree from an accredited graduate school of social work, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations adopted by the board;

(2) has had two years of full-time post-master's or post-doctor's degree experience under the supervision of a licensed social worker in the area of the specialty in which such applicant seeks to be licensed;

(3) has passed an examination approved by the board for this purpose; and

(4) has satisfied the board that the applicant is a person who merits the public trust.

(d) (1) The board shall issue a license as a specialist clinical social worker to an applicant who:

(A) Has met the requirements of subsection (c);

(B) has completed 15 credit hours as part of or in addition to the requirements under subsection (c) supporting diagnosis or treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, through identifiable study of the following content areas: Psychopathology, diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches and professional ethics;

(C) has completed a graduate level supervised clinical practicum of supervised professional experience including psychotherapy and assessment, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, with not less than 350 hours of direct client contact or additional postgraduate supervised experience as determined by the board;

(D) has completed as part of or in addition to the requirements of subsection (c) not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than ~~4,000~~ 3,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting psychotherapy and assessments with individuals, couples, families or groups and not less than ~~150~~ 100 hours of clinical supervision, including not less than 75 hours of person-to-person individual supervision, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual;

(E) for persons earning a degree under subsection (c) prior to July 1, 2003, in lieu of the education and training requirements under parts (B) and (C) of this subsection, has completed the education requirements for licensure as a specialist clinical social worker in effect on the day immediately preceding the effective date of this act;

(F) for persons who apply for and are eligible for a temporary license to practice as a specialist clinical social worker on the day immediately preceding the effective date of this act, in lieu of the education and training requirements under parts (B), (C) and (D) of this subsection, has completed the education and training requirements for licensure as a specialist clinical social worker in effect on the day immediately preceding the effective date of this act;

(G) has passed an examination approved by the board; and

(H) has paid the application fee.

(2) A licensed specialist clinical social worker may engage in the social work practice and is authorized to diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations. When a client has symptoms of a mental disorder, a licensed specialist clinical social worker shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed specialist clinical social worker may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(3) Notwithstanding any other provision of this subsection, a licensed master social worker who has provided to the board an acceptable clinical supervision plan for licensure as a specialist clinical social worker prior to the effective date of this act shall be licensed as a specialist clinical social worker under this act upon completion of the requirements in effect for licensure as a specialist clinical social worker at the time the acceptable training plan is submitted to the board.

(4) A person licensed as a specialist clinical social worker on the day immediately preceding the effective date of this act shall be deemed to be a licensed specialist clinical social worker under this act. Such person shall not be required to file an original application for licensure as a specialist clinical social worker under this act.

(e) The board shall adopt rules and regulations establishing the criteria which a social work program of a college or university shall satisfy to be recognized and approved by the board under this section. The board may send a questionnaire developed by the board to any college or university conducting a social work program for which the board does not have sufficient information to determine whether the program should be recognized and approved by the board and whether the program meets the rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the program to be considered for recognition and approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about a social work program of a college or university. In entering such contracts the authority to recognize and approve a social work program of a college or university shall remain solely with the board.";

Also on page 19, in line 5, after the second comma by inserting "65-6306,";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the second comma by inserting "65-6306,"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 138** be passed.

Also, **SB 94** be amended on page 1, in line 14, by striking "prevention" and inserting "avoidance"; also in line 14, by striking all after "duration,"; by striking all in line 15; in line 16, before the period by inserting "utilizing a nationally recognized driver training curriculum or a curriculum approved by a state or federal agency"; and the bill be passed as amended.

SB 136 be amended on page 1, in line 7, after "Kevin" by inserting "A."; also in line 7, by striking "veterans"; in line 10, after "Kevin" by inserting "A."; also in line 10, by striking "veterans";

Also on page 1, in the title, in line 2, after "Kevin" by inserting "A."; also in line 2, by striking "veterans"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 173** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

REPORT ON ENROLLED BILLS

SR 1715 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 25, 2019.

On motion of Senator Denning, the Senate adjourned until 10:00, Tuesday, February 26, 2019.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

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