

Journal of the Senate

FORTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 22, 2019, 8:00 a.m.

The Senate was called to order by Vice President Longbine.
The roll was called with 33 senators present.
Senators Baumgardner, Denning, Doll, Hensley, Masterson, Wagle and Ware were excused.

Invocation by Senator Richard Hilderbrand:

Heavenly Father, we thank you for being with us today. We pray that You grant us humility with our actions, wisdom with our decisions and patience with our peers. We give you all the glory. It's in Your name we pray. Amen.

The Pledge of Allegiance was led by Vice President Longbine.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Assessment and Taxation: **SB 235**.

REFERENCE OF APPOINTMENTS

The following appointment made by the Governor and submitted to the Senate for confirmation, was referred to Committee as indicated:

Secretary, Department of Agriculture:
Michael Beam, to serve at the pleasure of the governor.
Committee on Agriculture and Natural Resources

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2041**, **HB 2066**, **HB 2082**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2041, **HB 2066**, **HB 2082** were thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

The Committee on **Agriculture and Natural Resources** recommends **HB 2167** be amended by substituting a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2167," as follows:

"Senate Substitute for HOUSE BILL NO. 2167
By Committee on Agriculture and Natural Resources

"AN ACT concerning industrial hemp; establishing a commercial industrial hemp program; amending K.S.A. 65-4101, 65-4105 and K.S.A. 2018 Supp. 2-3901, 2-3902, 2-3903, 21-5701 and 21-5702 and repealing the existing sections; also repealing K.S.A. 65-4101c and 65-4105b and K.S.A. 2018 Supp. 21-5701a.";

And the substitute bill be passed.

Committee on **Education** recommends **HB 2144**, as amended by House Committee, be amended on page 3, in line 24, after "(i)" by inserting "(1) Subject to paragraph (2),"; also in line 24, by striking "budgeted" and inserting "disbursed"; in line 25, after the comma by inserting "foundation scholarships and pell grants,."; in line 26, by striking "budgeted" and inserting "disbursed"; in line 27, by striking "(1)" and inserting "(A)"; following line 34, by inserting:

"(2) No aggregate information required to be reported pursuant to paragraph (1) shall be reported if such information could identify a student with reasonable certainty.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 4, in line 29, after "on" by inserting "the community college's website."; in line 30, by striking "that"; in line 31, by striking all before the period and inserting "regarding student fees shall guide students to such website address";

On page 7, in line 41, after "after" by inserting "July 1, 2020, and"; and the bill be passed as amended.

Also, **HB 2168**, as amended by House Committee, be amended on page 1, in line 11, by striking all before the stricken material; in line 24, by striking all following the stricken material; by striking all in lines 25 and 26; in line 27, by striking "(2)";

On page 2, in line 16, by striking "conveyances" and inserting "conveyance"; in line 26, by striking "conveyances" and inserting "conveyance"; in line 27, by striking all after "of"; in line 28, by striking all before "K.S.A";

On page 3, in line 10, by striking "75-3043a or";

On page 4, in line 4, by striking "75-3043a or";

On page 1, in the title, in line 3, by striking "Cherokee"; also in line 3, by striking the first comma; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2248** be amended on page 1, in line 8, after "(b)," by inserting "(c) or (d),"; in line 20, after "(c)" by inserting: "Notwithstanding the provisions of subsection (a), all-terrain vehicles may be operated to cross a federal highway or state highway.

(d) Notwithstanding the provisions of subsection (a), persons engaged in agricultural purposes may operate an all-terrain vehicle on a federal highway or state highway under the following conditions:

(1) The operator of the all-terrain vehicle must be a licensed driver and be operating within the restrictions of the operator's license;

(2) the federal highway or state highway must have a posted speed limit of 65 miles per hour or less;

(3) the operator of the all-terrain vehicle must operate the all-terrain vehicle as near to the right side of the roadway as practicable, except when making or preparing to make a left turn; and

(4) the purpose of the trip using the all-terrain vehicle must be for agricultural

purposes.

(e)";

Also on page 1, by striking all in lines 23 through 26;

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also, on page 1, following line 28, by inserting:

"Sec. 2. K.S.A. 2018 Supp. 8-15,109 is hereby amended to read as follows: 8-15,109. (a) It shall be unlawful for any person to operate a work-site utility vehicle: (1) On any interstate highway, federal highway or state highway; or (2) within the corporate limits of any city unless authorized by such city.

(b) Notwithstanding the provisions of subsection (a), work-site utility vehicles may be operated to cross a federal highway or state highway.

(c) Notwithstanding the provisions of subsection (a), persons engaged in agricultural purposes may operate a work-site utility vehicle on a federal highway or state highway under the following conditions:

(1) The operator of the work-site utility vehicle must be a licensed driver and be operating within the restrictions of the operator's license;

(2) the federal highway or state highway must have a posted speed limit of 65 miles per hour or less;

(3) the operator of the work-site utility vehicle must operate the all-terrain vehicle as near to the right side of the roadway as practicable, except when making or preparing to make a left turn; and

(4) the purpose of the trip using the work-site utility vehicle must be for agricultural purposes.

(d) No work-site utility vehicle shall be operated on any public highway, street or road between sunset and sunrise unless equipped with lights as required by law for motorcycles.

~~(e)~~(c) This section shall be part of and supplemental to the uniform act regulating traffic on highways.";

Also on page 1, in line 29, by striking "is" and inserting "and 8-15,109 are";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, after "all-terrain" by inserting "and work-site utility"; in line 2, by striking "all-terrain"; also in line 2, by striking "cross" and inserting "operate on a"; also in line 2, after "highway" by inserting "under certain conditions"; in line 3, after "8-15,100" by inserting "and 8-15,109"; in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

REPORT ON ENROLLED BILLS

SR 1724, SR 1726, SR 1727, SR 1728, SR 1729, SR 1730 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 22, 2019.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of March 18 through March 22, 2019:

Senator Braun: congratulating the Piper High School Boys Basketball Team on winning the 2019 Class 4A State Championship;

Senator Faust-Goudeau: congratulating Hailey Colborn on being named Miss Teen USA;

Senator Holland: celebrating American Legion's 100th Anniversary; and

Senator Lynn: congratulating the Kansas State School for the Deaf on their qualification in the Midwest Regional Academic Bowl for the National Finals Competition.

On motion of Senator Kerschen, the Senate adjourned until 10:00 a.m., Monday, March 25, 2019.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

