

Journal of the Senate

THIRTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 26, 2015, 10:00 a.m.

The Senate was called to order by President Susan Wagle.
The roll was called with 40 senators present.
Invocation by Father Don Davidson:

Dear Lord, ships and boats are mysterious to me. I am fascinated that while there is so much water everywhere, a heavy ship can float that is as long as the water is out and the air is in. Maybe there is a lesson that can be learned. When we keep the positive inside, the negative can never cause us to go under. With your help dear Lord, help us always to rise above the negative in our lives. Amen

The Pledge of Allegiance was led by President Susan Wagle.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

SENATE CONCURRENT RESOLUTION No. **SCR 1604**—
By Senators Wagle, Bruce and Hensley

A CONCURRENT RESOLUTION relating to the
adjournment of the senate and house of representatives
for a period of time during the 2015 regular session of the legislature.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on February 26, 2015, and shall reconvene on March 4, 2015, pursuant to adjournment of the daily session convened on February 26, 2015; and

Be it further resolved: That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

Be it further resolved: That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating

council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

On emergency motion of Senator Bruce, **SCR 1604** was adopted by voice vote.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Commerce: **HB 2096, HB 2254.**

Federal and State Affairs: **SB 267; HB 2154.**

Financial Institutions and Insurance: **HB 2216, HB 2258, HB 2259, HB 2260.**

Judiciary: **HB 2109, HB 2256.**

Natural Resources: **SB 268, SB 269.**

Transportation: **HB 2103.**

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 13, AN ACT concerning criminal history record information; definitions; amending K.S.A. 2014 Supp. 22-4701 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed, as amended.

SB 27, AN ACT concerning candidates and lobbyists; relating to uses of campaign funds; concerning campaign finance disclosures; relating to certain lobbyist filings; amending K.S.A. 25-904, 25-4157, 25-4173, 46-268 and 46-269 and K.S.A. 2014 Supp. 25-4157a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 18; Nays 22; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Bruce, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hensley, Holmes, King, LaTurner, Longbine, Love, Masterson, Petersen, Wagle, Wilborn.

Nays: Baumgardner, Bowers, Denning, Hawk, Holland, Kelly, Kerschen, Knox, Lynn, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wolf.

A constitutional majority having failed to vote in favor of the bill, **SB 27** did not pass.

Sub SB 38, AN ACT concerning patent infringement; relating to bad faith assertions of patent infringement; Kansas consumer protection act, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not

Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The substitute bill passed.

SB 43, AN ACT designating a portion of K-8 as the home on the range highway, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed.

SB 44, AN ACT concerning courts; relating to docket fees; electronic filing and management fund and judicial branch docket fee fund; amending K.S.A. 2014 Supp. 20-1a16 and 20-362 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed, as amended.

SB 45, AN ACT concerning firearms; relating to the carrying of concealed firearms; relating to the personal and family protection act; amending K.S.A. 2014 Supp. 21-5914, 21-6301, 21-6302, 21-6308, 21-6309, 32-1002, 75-7c01, 75-7c03, 75-7c04, 75-7c05, 75-7c10, 75-7c17, 75-7c20 and 75-7c21 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 75-7c19, was considered on final action.

On roll call, the vote was: Yeas 31; Nays 7; Present and Passing 2; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Fitzgerald, Haley, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pilcher-Cook, Powell, Pyle, Smith, Tyson, Wagle, Wilborn.

Nays: Faust-Goudeau, Francisco, Hawk, Hensley, Holland, Pettey, Wolf.

Present and Passing: McGinn, Schmidt.

The bill passed, as amended.

EXPLANATION OF VOTE

Madam President: I vote "Aye" on **SB 45** regarding public permitless concealed carry of weapons by a legal gun owner. Since coming to the Legislature, the most important thing that remains for me to do is to listen, carefully, to the voices of my voting

constituents. Recognizing and respecting the differing views on this concept and on this issue, my support for **SB 45** has come down to one immutable fact. Law abiding, legally registered gun owners who should be able to conceal and carry are currently being far outnumbered by illegal gunowners (some, often, criminals) who do conceal and carry. In our society, I prefer to favor the lawful over the lawless. In our society, I vote to now provide the same personal safety and protection to a registered law-abiding gun owning citizen that parallels an unregistered gun possessor. Despite the loss of revenue now required for a CCW permit and the removal of training requirements which could only be good for any shooter, public or private, statistics suggest that “an armed society is a politer society” and again, accordingly Madam President, I vote “Aye” on **SB 45**.—DAVID HALEY

Senators Abrams, Arpke, Bowers, Bruce, Denning, Fitzgerald, Holmes, Kerschen, King, Knox, LaTurner, Longbine, Lynn, Masterson, Melcher, Ostmeyer, Petersen, Pilcher-Cook, Smith, Wilborn request the record to show they concur with the "Explanation of Vote" offered by Senator Haley on **SB 45**.

Madam President: In nearly 40 years of service in the Kansas Legislature, my record on firearms and the 2nd Amendment speaks for itself. Most notably, in 2006, I voted in favor of **SB 418** allowing law abiding Kansans to carry concealed firearms. Governor Sebelius vetoed that legislation. In response, I voted to override her veto. As a result, Kansans can now carry concealed firearms after going through sufficient training and licensing. Make no mistake, I support current law. However, I cannot in good conscience support **SB 45** because of my uncertainty as to the impact it will have on our state. Will this bill put people in unnecessary danger? Will our state's business community be adversely affected by way of unneeded liability or potential higher insurance costs? And, could this bill lead to business owners being forced to ban any and all firearms, including concealed firearms currently allowed by law? Without sufficient answers to these questions, I must vote “No.”—ANTHONY HENSLEY

Madam President: Today I stand with many of my colleagues who consider ourselves to be gun rights advocates and supporters of the second amendment. I've been consistently endorsed by gun advocacy organizations throughout my career, and I will forever remain a supporter of our second amendment rights. Through the years, I've voted in favor of gun right measures, and have been proud to do so with full confidence. I vote “Aye” on **SB 45**, but unlike so many other gun advocacy votes, I do so today with uncertainty. I hope as the process and this bill evolves, those who have contacted me this week with legitimate concerns on the measure will involve themselves in the process and help the legislature separate fact from fiction to eliminate any unintended consequences. However, today we must vote, and when in doubt, I believe that if we err, we ought to do so on the side of freedom and the continued protection of our most basic constitutional rights.—SUSAN WAGLE

Senators Donovan, Kelly and McGinn request the record to show they concur with the "Explanation of Vote" offered by Senator Wagle on **SB 45**.

SB 51, AN ACT concerning courts; relating to court fees and costs; judicial branch surcharge fund; amending K.S.A. 2014 Supp. 8-2107, 8-2110, 20-3021, 21-6614, 22-2410, 23-2510, 28-170, 28-172a, 28-177, 28-178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-729, 60-2001, 60-2203a, 61-2704, 61-4001 and 65-409 and

repealing the existing sections; also repealing K.S.A. 2014 Supp. 21-6614e, was considered on final action.

On roll call, the vote was: Yeas 34; Nays 6; Present and Passing 0; Absent or Not Voting 0.

Yeas: Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Petersen, Pettey, Powell, Schmidt, Smith, Wagle, Wilborn, Wolf.

Nays: Abrams, Olson, Ostmeyer, Pilcher-Cook, Pyle, Tyson.

The bill passed, as amended.

SB 54, AN ACT concerning insurance; pertaining to motor vehicle liability insurance; relating to mailing of notice of termination of coverage; amending K.S.A. 2014 Supp. 40-3118 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed, as amended.

SB 57, AN ACT concerning the Kansas power of attorney act; relating to durable power of attorney; definitions; duties of attorney in fact; laws governing powers of attorney executed prior to July 1, 2015; amending K.S.A. 58-651 and 58-664 and K.S.A. 2014 Supp. 58-652 and 58-656 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed.

SB 58, AN ACT concerning the Kansas judicial review act; relating to venue; amending K.S.A. 77-609 and repealing the existing section, was considered on final action.

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

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

Nays: Pyle.

The bill passed, as amended.

Sub SB 60, AN ACT concerning schools; relating to the Kansas state high school activities association; relating to participation by certain students, was considered on final action.

On roll call, the vote was: Yeas 30; Nays 9; Present and Passing 1; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Haley, Hensley, Holland, Holmes, Kelly, King, Knox, LaTurner, Love, Lynn, Masterson, Melcher, O'Donnell, Olson, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Smith, Tyson, Wagle.

Nays: Bowers, Hawk, Kerschen, Longbine, McGinn, Ostmeyer, Schmidt, Wilborn, Wolf.

Present and Passing: Francisco.

The substitute bill passed.

EXPLANATION OF VOTE

Mr. Vice President: I agree that there is a good argument for allowing all school-age children to participate in activities offered by a school district and appreciate the amendments added in committee that keep expectations similar for all those children. However, the state has a responsibility to provide funding and our current school funding formula ties much of that funding to enrollment. I believe it is the responsibility of the legislature to both allow participation and provide funding. Without both, I PASS on **Sub SB 60**.—MARCI FRANCISCO

Senators Haley and Hawk request the record to show they concur with the "Explanation of Vote" offered by Senator Francisco on **Sub SB 60**.

SB 70, AN ACT concerning teachers; relating to background checks and revocation of licensure; amending K.S.A. 2014 Supp. 72-1397 and 72-1923 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 29; Nays 10; Present and Passing 1; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Fitzgerald, Holmes, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pilcher-Cook, Powell, Pyle, Smith, Wagle, Wilborn, Wolf.

Nays: Faust-Goudeau, Francisco, Haley, Hawk, Holland, Kelly, McGinn, Pettey, Schmidt, Tyson.

Present and Passing: Hensley.

The bill passed, as amended.

EXPLANATION OF VOTE

Madam President: I vote "No" on **SB 70**. When initially applying for a license, teachers must submit their fingerprints for a background check. Fingerprints do not change over time. So, it is unnecessary to require teachers to be fingerprinted every five years when they go to renew their licenses, especially since it is not the standard practice for any other profession. The Kansas State Board of Education already has the authority to revoke, suspend, or censure the license of anyone convicted of any felony. Since 1996, there is no evidence that the board has not taken action to revoke or deny a

license to a teacher or administrator convicted of offenses outlined in current statute. It is time for the Kansas Legislature to stop treating teachers as though they are guilty until proven innocent. I vote "No."—PAT PETTEY

Senators Francisco, Haley, Hawk, Holland, Kelly and McGinn request the record to show they concur with the "Explanation of Vote" offered by Senator Pettey on **SB 70**.

SB 77, AN ACT concerning the ethics commission; relating to fees; amending K.S.A. 2014 Supp. 25-4119f, 25-4145 and 46-265 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 36; Nays 4; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Schmidt, Smith, Wagle, Wilborn, Wolf.

Nays: Pilcher-Cook, Powell, Pyle, Tyson.

The bill passed.

SB 78, AN ACT concerning campaign finance; relating to electronic filing of legislative reports; amending K.S.A. 2014 Supp. 25-4148 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 20; Nays 20; Present and Passing 0; Absent or Not Voting 0.

Yeas: Arpke, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Hensley, Holmes, King, LaTurner, Longbine, Love, Melcher, O'Donnell, Pettey, Pilcher-Cook, Smith, Wagle, Wilborn.

Nays: Abrams, Baumgardner, Bowers, Haley, Hawk, Holland, Kelly, Kerschen, Knox, Lynn, Masterson, McGinn, Olson, Ostmeyer, Petersen, Powell, Pyle, Schmidt, Tyson, Wolf.

A constitutional majority having failed to vote in favor of the bill, **SB 78** did not pass.

EXPLANATION OF VOTE

Mr. Vice President: I vote "No" on **SB 78** and sincerely hope that the majority of our colleagues will vote the same and kill this bill now. **SB 78** would require all Kansas campaigns for the state senate and the state house of representatives to file campaign finance reports electronically "online", so to speak. Currently all such campaigns may file such reports written in long hand and submitted to the commission in person, or by mail or facsimile (fax) by a certain prescribed date. This change will stifle access to running for state office. Not, perhaps, by you or by me or by many legislative incumbents who are already filing campaign reports electronically, but by those candidates who are seeking to run for office and do not have either the ready access to or the requisite skill set to either the internet or to, even, computer equipment. Yes I know, Madam President, that I am usually the very one to urge this Senate to let go of the past, to move onward progressively...into the future; to "get with the times!" But where access to lawfully pursuing office is challenged, I vote now to embrace the status quo and vote "No" on **SB 78**. —DAVID HALEY

SB 93, AN ACT concerning postsecondary education; relating to postsecondary career technical education performance-based funding; amending K.S.A. 2014 Supp.

72-4490 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed, as amended.

SB 120, AN ACT concerning wildlife, parks and tourism; relating to land purchases; amending K.S.A. 2014 Supp. 32-833 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 32; Nays 7; Present and Passing 1; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Bowers, Bruce, Donovan, Faust-Goudeau, Fitzgerald, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Love, Masterson, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Schmidt, Smith, Wagle, Wilborn, Wolf.

Nays: Baumgardner, Denning, Longbine, Lynn, McGinn, Pyle, Tyson.

Present and Passing: Francisco.

The bill passed as amended.

EXPLANATION OF VOTE

Mr. Vice President: I fully support the intent of **SB 120** for the Department of Wildlife, Parks and Tourism to use natural resource damage funds to purchase land in the Kansas counties of Cherokee, Crawford, Labette, and Neosho. I am very concerned with the parts of the amendment that were added, without any discussion in committee, to limit the size of the tracts that can be purchased with those funds and also to reduce the size of tracts throughout Kansas that can be purchased by the department without approval by an act of the legislature. I believe it is vital to have public land in Kansas, for the public and for wildlife. Because of the amendment, I vote "Pass" on **SB 120**.—
MARCI FRANCISCO

Mr. Vice President: While I support limiting Kansas, Wildlife and Parks from making purchases for grounds suitable for hunting, I voted no on this bill because an amendment was offered to isolate four counties, and no justification was given. I vote "No" on **SB 120**.—CAROLYN MCGINN

SB 121, AN ACT concerning the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight; members and meetings; amending K.S.A. 2014 Supp. 39-7,160 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 30; Nays 10; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Fitzgerald, Holmes, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pilcher-Cook, Powell, Pyle, Smith, Tyson,

Wagle, Wilborn, Wolf.

Nays: Faust-Goudeau, Francisco, Haley, Hawk, Hensley, Holland, Kelly, McGinn, Pettey, Schmidt.

The bill passed, as amended.

SB 124, AN ACT concerning solid waste disposal; relating to land-spreading of drilling waste; amending K.S.A. 2014 Supp. 65-3407c and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed, as amended.

SB 125, AN ACT concerning radioactive materials; relating to by-product material; low-level radioactive waste; naturally occurring radioactive material; amending K.S.A. 48-1603 and 48-1620 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed.

SB 150, AN ACT concerning motor carriers; relating to the regulation thereof; representation before the corporation commission; amending K.S.A. 2014 Supp. 66-1,142b and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed, as amended.

SB 188, AN ACT concerning school districts; relating to the Kansas uniform financial accounting and reporting act; relating to publication requirements; amending K.S.A. 2014 Supp. 72-8254 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 27; Nays 13; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Fitzgerald, Haley, Holmes, King, Knox, LaTurner, Lynn, Masterson, Melcher, O'Donnell, Olson, Petersen, Pilcher-Cook, Powell, Pyle, Smith, Tyson, Wagle, Wilborn, Wolf.

Nays: Faust-Goudeau, Francisco, Hawk, Hensley, Holland, Kelly, Kerschen, Longbine, Love, McGinn, Ostmeyer, Pettey, Schmidt.

The bill passed, as amended.

COMMITTEE OF THE WHOLE

On motion of Senator Bruce, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Longbine in the chair.

The morning session recommended:

SB 73, SB 157 be passed.

A motion by **Knox** to amend **SB 157** was withdrawn.

SB 154, SB 156, SB 168, SB 227 be amended by the adoption of the committee amendments, and the bills be passed as amended.

SB 149 be amended by the adoption of the committee amendments, be amended by motion of Senator King: on page 34, in line 2, by striking "59-29a01 et seq." and inserting "59-29a07"; in line 3, after "agency" by inserting "for a pending criminal proceeding"; in line 5, after "to," by inserting "reasonable"; in line 8, by striking "sexual predator treatment"; in line 9, by striking "program" and inserting "SPTP new crimes reimbursement"; in line 18, by striking "July 1, 2015" and inserting "January 1, 2016"; in line 20, by striking "sexual predator treatment program" and inserting "SPTP new crimes reimbursement" and **SB 149** be passed as further amended.

SB 128 be amended by the adoption of the committee amendments, be passed over and retain a place on the calendar.

The committee rose and reported progress (see Committee of the Whole, afternoon session.)

On motion of Senator Bruce, the Senate recessed until 2:30 p.m..

The Senate met pursuant to recess with Vice President King in the chair.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2059, HB 2061, HB 2063, HB 2085, HB 2104, HB 2106, HB 2131, HB 2163, HB 2170, HB 2177, HB 2183, HB 2192, HB 2193, HB 2228, HB 2231, HB 2281, HB 2326, HB 2353, HB 2364.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2059, HB 2061, HB 2063, HB 2085, HB 2104, HB 2106, HB 2131, HB 2163, Sub HB 2170, HB 2177, HB 2183, HB 2192, HB 2193, HB 2228, HB 2231, HB 2281, HB 2326, HB 2353, HB 2364 were thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **SB 131** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL NO. 131," as follows:

"Substitute for SENATE BILL NO. 131
By Committee on Corrections and Juvenile Justice

"AN ACT concerning public safety; relating to peer support counseling sessions; emergency services personnel and law enforcement personnel; amending K.S.A. 22-2202 and repealing the existing section.";

And the substitute bill be passed.

Also, recommends **SB 216** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL NO. 216," as follows:

"Substitute for SENATE BILL NO. 216

By Committee on Corrections and Juvenile Justice

"AN ACT concerning school districts; creating the Kansas school security act; also repealing K.S.A. 72-89b01, 72-89b02, 72-89b03, 72-89b04 and 72-89b05.";

And the substitute bill be passed.

COMMITTEE OF THE WHOLE

The Senate returned to the Committee of the Whole, for further consideration of bills on the calendar under the heading of General Orders with Senator Longbine in the chair.

On motion of Senator Longbine the morning report and the following afternoon report were adopted:

SB 113, SB 126, SB 142, SB 189, SB 228 be passed.

SB 12, SB 91, SB 112, SB 127, SB 183, SB 190, SB 206, SB 215, SB 240 be amended by the adoption of the committee amendments, and the bills be passed as amended.

The Committee returned to **SB 128** and the bill be passed as amended.

An amendment was offered by Senator Petty on **SB 12**. A ruling of the chair was requested as to the germaneness to the bill. The amendment was ruled not germane.

An amendment was offered by Senator Haley on **SB 12**. A ruling of the chair was requested as to the germaneness to the bill. The amendment was ruled not germane.

An amendment was offered by Senator Haley on **SB 12**. A ruling of the chair was requested as to the germaneness to the bill. The amendment was ruled not germane.

The committee report on **Sub SB 18** recommending **Sub SB 18** be adopted, and the substitute bill be passed.

A motion by Senator Haley to amend **Sub SB 18** failed.

The committee report on **Sub SB 171** recommending **Sub SB 171** be adopted, and further amended by motion of Senator LaTurner, on page 50, following line 42, by inserting:

"New Sec. 61. (a) Whenever a statute requires or otherwise provides for an election on the issue of:

(1) Levying or increasing the levy of any tax; or
 (2) authorizing the issuance of bonds by any municipality, the elections shall be held at the next regularly scheduled primary or general election.

(b) "Municipality" shall mean any city, county or school district.

Sec. 62. K.S.A. 10-120 is hereby amended to read as follows: 10-120. (a) Whenever an election is required for the issuance of bonds for any purpose by any municipality other than an irrigation district or where a different procedure for giving notice of the election is specifically provided by law, upon compliance with the legal requirements necessary and precedent to the call for the election, the proper municipal officers shall call an election. The election shall be held ~~within 45 days after compliance with the necessary requirements, or within 90 days, should the longer period include the~~

~~date of a~~ at the next primary or general election which permits the notice requirements of subsection (b) to be met.

(b) Notice of the election shall be published in a newspaper of general circulation in the municipality once each week for two consecutive weeks. The first publication shall be not less than 21 days prior to the election. The notice shall set forth the time and place of holding the election and the purpose for which the bonds are to be issued and shall be signed by the county election officer. The election shall be held at the usual place of holding elections and shall be conducted by the officers or persons provided by law for holding elections in the municipality.

Sec. 63. K.S.A. 12-138 is hereby amended to read as follows: 12-138. Any city election called under the provisions of this act shall be called ~~within 30 days and held within 90 days~~ after the filing of a petition demanding such election, or after the publication of an ordinance authorizing a levy for which an election is called without petition. The governing body shall pass an ordinance calling the election and fixing the date, which at the next regular primary or general election and such ordinance shall be published once in the official city newspaper. The sufficiency of the number of signers of any petition filed under the provisions of this act shall be determined by the county election officer. Every election held under the provisions of this act shall be conducted by the county election officer. The county election officer shall publish a notice of such election once each week for two consecutive weeks in the official city newspaper, the first publication to be not less than 21 days prior to such election. The notice shall state the time of the election and the proposition which shall appear on the ballot. The proposition shall be: "Shall revenue ordinance No. ____, entitled (title of ordinance) take effect?"

Sec. 64. K.S.A. 12-6a15 is hereby amended to read as follows: 12-6a15. The governing body of any city proposing to issue general obligation bonds of the city for payment of any portion of the costs of any improvement authorized by this act may by resolution submit the question of issuing such bonds ~~at a general or special an~~ election called for that purpose under the provisions of K.S.A. 10-120, and amendments thereto, and if such election be called, no such bonds shall be issued ~~until and~~ unless a majority of the electors voting on the proposition shall have given their approval to the issuance of ~~such the~~ bonds.

Sec. 65. K.S.A. 2014 Supp. 12-1737 is hereby amended to read as follows: 12-1737. The governing body of any city may, for the purposes hereinbefore authorized and provided:

- (a) Receive and expend gifts;
- (b) receive and expend grants-in-aid of state or federal funds;
- (c) issue bonds of the city;
- (d) levy an annual tax of not more than ~~one mill for any city of the first class and not more than two mills for any city of the second or third class~~, which tax levy may be made for a period not exceeding 10 years upon all taxable tangible property in such city for the purpose of creating a building fund to be used for the purposes herein provided and to pay a portion of the principal and interest on bonds issued by such city under the authority of K.S.A. 12-1774, and amendments thereto;
- (e) issue no-fund warrants;
- (f) use moneys from the general operating fund or other appropriate budgeted fund when available;

(g) use moneys received from the sale of public buildings or buildings and sites; or
(h) combine any two or more of such methods of financing for the purposes herein authorized except that cities shall first use funds received from the payment of insurance claims for damages sustained by any such public building before resorting to methods of financing herein authorized.

An election upon the issuance of bonds under the authority of this act shall be required for the purpose of acquiring or constructing city offices, public libraries, auditoriums, community or recreational buildings.

When an election upon the issuance of bonds is required, the question of the issuance of such bonds shall be submitted to a vote of the qualified electors of the city at a regular city primary or general election ~~or at a special election called for that purpose~~. No such bonds shall be issued unless a majority of those voting on the question vote in favor of the issuance of the bonds. The bond election shall be called and held and the bonds shall be issued in accordance with the provisions of the general bond law. No levies shall be made for the purpose of creating a building fund under the provisions of this act until a resolution authorizing the making of such levies is adopted by the governing body of the city. Such resolution shall state the specific purpose for which the tax levy is made, the total amount proposed to be raised and the number of years the tax levy shall be made. The resolution shall be published once each week for two consecutive weeks in the official city paper. After publication, the levies may be made unless a petition requesting an election upon the question of whether to make the levies is filed in accordance with this section. Such petition shall be signed by electors equal in number to not less than 10% of the electors who voted at the last preceding regular city election as shown by the poll books, is filed with the city clerk of such city within 60 days following the last publication of the resolution. If a valid petition is filed, the governing body shall submit the question to the voters at an election called for that purpose or at the next regular city primary or general election.

The levy authorized by this section shall be in addition to and not limited by any other act authorizing or limiting the tax levies of the city. The building fund may be used for the purposes provided by this act at any time after the second levy has been made. If there are insufficient moneys in the building fund for expenditures for such purposes, the governing body of the city may issue bonds of the city in the manner provided by the general bond law of the state and in an amount which, together with the amount raised by the tax levy authorized by this act, will not exceed the total amount stated in the resolution creating such fund. Cities are hereby authorized to invest any portion of the special building fund which is not currently needed in investments authorized by K.S.A. 12-1675, and amendments thereto, in the manner prescribed therein or in direct obligations of the United States government maturing or redeemable at par and accrued interest within three years from date of purchase, the principal and interest whereof is guaranteed by the government of the United States. All interest received on any such investment shall upon receipt thereof be credited to the special building fund.

No-fund warrants issued under the authority of this act shall be issued in the manner and form and bear interest and be redeemed as prescribed by K.S.A. 79-2940, and amendments thereto, except that they may be issued without the approval of the state board of tax appeals and without the notation required by K.S.A. 79-2940, and amendments thereto. The governing body of the city issuing such warrants shall levy a

tax for the first tax levying period after such warrants are issued, sufficient to pay such warrants and the interest thereon. All such tax levies shall be in addition to all other levies authorized or limited by law, and none of the tax limitations provided by article 19 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, shall apply to such levies.

Sec. 66. K.S.A. 19-117 is hereby amended to read as follows: 19-117. (a) Where the board of county commissioners of any county by resolution proposes to levy for revenue purposes any tax, excise, fee, charge or other exaction other than permit fees or license fees for regulatory purposes, a procedure for the levy of which is not otherwise prescribed by enactment of the legislature, such resolution shall require a ~~two-thirds~~ $(\frac{2}{3})$ $\frac{2}{3}$ vote of the members of the board and shall be published once each week for two ~~(2)~~ consecutive weeks in the official county newspaper.

No such resolution shall take effect until ~~sixty (60)~~ 60 days after its final publication, and if within ~~sixty (60)~~ 60 days of its final publication a petition signed by not less than ~~five percent (5%)~~ 5% of the qualified electors of the county shall be filed with the county election officer demanding that such resolution be submitted to a vote of the electors, it shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon. The board of county commissioners of any county may submit any resolution providing for such levy to a referendum without petition. Resolutions authorizing such levies submitted to referendum without petition may be passed by a majority vote of the board of county commissioners and shall be published once in the official county newspaper.

(b) Any county election called under the provisions of this act shall be ~~called within thirty (30) days and held within ninety (90) days at the next primary or general election~~ after the filing of a petition demanding such election. The board of county commissioners shall pass a resolution calling the election and fixing the date, which resolution shall be published once in the official county newspaper. The sufficiency of the number of signers of any petition filed under this act shall be determined by the county election officer. Every election held under this act shall be conducted by the county election officer. The county election officer shall publish a notice of such election once each week for three ~~(3)~~ consecutive weeks in the official county newspaper, the first publication to be not less than ~~twenty-one (21)~~ 21 days prior to such election. ~~Said~~ The notice shall state the time of the election and the proposition which shall appear on the ballot. The proposition shall be: "Shall revenue resolution No. ____ entitled (title of resolution) take effect?"

(c) The board of county commissioners shall be required to submit to a referendum the question of levying any tax or other revenue measure, authorized by the provisions of this act or other enactment referring to this act, upon the receipt of a petition signed by not less than ~~five percent (5%)~~ 5% of the qualified electors of such county, or upon receiving resolutions requesting such an election passed by the governing body of each of one or more cities within such county which contains a population of not less than ~~twenty-five percent (25%)~~ 25% of the entire population of the county. If a majority of the electors voting thereon at such election shall approve the proposed tax or other revenue measure, the board of county commissioners of such county shall then provide by resolution for the levy of such tax or other revenue measure. An election held under the provisions of this section shall be scheduled and conducted in the same manner as if a resolution was being submitted to the electors, except that the proposition shall state

the nature of the tax or revenue measure, the proposed rate and the date it would take effect.

(d) Any county tax or other revenue measure adopted under the provisions of this section shall continue in effect until amended or repealed by a resolution of the board of county commissioners which has also been adopted under the provisions of this section.

Sec. 67. K.S.A. 2014 Supp. 19-15,116 is hereby amended to read as follows: 19-15,116. The board of county commissioners of any county may for the purposes ~~hereinbefore~~ authorized and provided:

(a) Receive and expend gifts;

(b) receive and expend grants-in-aid of state or federal funds;

(c) issue general obligation bonds of the county. If it is determined that it is necessary to issue more than \$300,000 in general obligation bonds for the purposes ~~hereinbefore~~ authorized, such bonds shall not be issued until the question of their issuance has been submitted to a vote of the qualified electors of the county and has been approved by a majority of those voting thereon at a primary or general election ~~or at a special election called for that purpose~~. Such election shall be called and held and bonds issued in the manner provided by the general bond law;

(d) make an annual tax levy of not to exceed one mill for a period of not to exceed 10 years upon all taxable tangible property in the county for the purpose of creating a building fund to be used for the purposes herein provided and to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774, and amendments thereto, by cities located in the county, except that no such levies shall be made until a resolution authorizing the same shall be adopted by the board of county commissioners stating the specific purpose for which such fund is created, the total amount proposed to be raised, the number of years such tax levy shall be made and shall be published once each week for three consecutive weeks in the official county newspaper. Whereupon such levies may be made unless a petition requesting an election upon the proposition, signed by electors equal in number to not less than 10% of the electors of the county who voted for the secretary of state at the last preceding general election, is filed with the county clerk within 30 days following the last publication of such resolution. In the event such petition is filed, the board of county commissioners shall submit the question to the voters at ~~at the next primary or general election called for that purpose and held within 90 days after the last publication of the resolution or at the next general election if held within that time and~~ at the next primary or general election. No such levies shall be made unless ~~such~~ the proposition shall receive the approval of a majority of the votes cast thereon. Such election shall be called and held in the manner provided in the general bond law. Such building fund may be used for the purposes stated in the resolution establishing the same at any time after the making of the second levy and if there are insufficient moneys in the building fund for such purpose the board of county commissioners may, in the manner provided by the general bond law of the state issue general obligation bonds of the county in an amount which together with the amount raised by the tax levies will not exceed the total amount stated in the resolution creating such fund. All levies authorized under the provisions of this section shall be in addition to and not limited by any other act authorizing or limiting the tax levies of such counties. Counties are hereby authorized to invest any portion of the special building fund which is not currently needed in investments authorized by K.S.A. 12-1675, and amendments thereto, in the manner prescribed therein or in direct obligations of the

United States government maturing or redeemable at par and accrued interest within three years from date of purchase, the principal and interest whereof is guaranteed by the government of the United States. All interest received on any such investment shall upon receipt thereof be credited to the special building fund, except that the board of county commissioners of any county which has heretofore established a building fund under the provisions of this act may, if it shall find that the amount of the fund as originally established is insufficient for such purposes, by resolution redetermine and increase the amount necessary to be raised for the purpose for which such fund was originally created and may make or continue to make an annual tax levy of not to exceed one mill upon all of the taxable tangible property of the county for the purpose of providing the additional funds contemplated by the supplemental resolution and to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774, and amendments thereto, by cities located in the county. Such supplemental resolution shall be published and shall be subject to petition for election and become effective in like manner as that provided for the original resolution;

(e) issue no-fund warrants in the manner and form and bearing interest and redeemable as prescribed by K.S.A. 79-2940, and amendments thereto, except that they may be issued without the approval of the state board of tax appeals, and without the notation required by such section. The board of county commissioners shall make a tax levy at the first tax levying period after such warrants are issued, sufficient to pay such warrants and the interest thereon. All such levies shall be in addition to all other levies authorized or limited by law and the tax limitations provided by article 19 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, shall not apply to such levies;

(f) use moneys from the general operating fund or other appropriated budgeted fund when such is available;

(g) use moneys received from the sale of public buildings or buildings and sites without regard to limitations prescribed by the budget law;

(h) or may combine any two or more of such methods of financing for the purposes herein authorized, except that counties shall first use funds received from the payment of insurance claims for damages sustained by any such public building before resorting to methods of financing herein authorized;

(i) authorize the county engineer to supervise the work necessary for the purposes herein provided, including the right of such county engineer to have such work done by force account as well as by contract.

Sec. 68. K.S.A. 68-438 is hereby amended to read as follows: 68-438. The governing body of any city may submit the question of issuing general obligation bonds of the city as authorized by K.S.A. 68-437, and amendments thereto, to the electors at an a primary or general election ~~called by the governing body at any time and held thereon~~. The governing body shall submit such question upon submission of a petition signed by not less than 10% of the qualified electors of the city.

Sec. 69. K.S.A. 2014 Supp. 72-6433 is hereby amended to read as follows: 72-6433. (a) As used in this section:

(1) "State prescribed percentage" means 33% of state financial aid of the district in the current school year.

(2) "Authorized to adopt a local option budget" means that a district has adopted a resolution pursuant to subsection (c), (d) or (e).

(3) "State financial aid" shall have the meaning provided in K.S.A. 72-6410, and amendments thereto, except that the term shall not include virtual school state aid, as described in K.S.A. 72-3715, and amendments thereto.

(b) In each school year, the board of any district may adopt a local option budget which does not exceed the state prescribed percentage.

(c) Subject to the limitation of subsection (b), in each school year, the board of any district may adopt, by resolution, a local option budget in an amount not to exceed:

(1) (A) The amount which the board was authorized to adopt in accordance with the provisions of this section in effect prior to its amendment by this act; plus

(B) the amount which the board was authorized to adopt pursuant to any resolution currently in effect; plus

(C) the amount which the board was authorized to adopt pursuant to K.S.A. 72-6444, and amendments thereto, if applicable to the district; or

(2) the state-wide average for the preceding school year as determined by the state board pursuant to subsection (k).

Except as provided by subsection (e), the adoption of a resolution pursuant to this subsection shall require a majority vote of the members of the board. Such resolution shall be effective upon adoption and shall require no other procedure, authorization or approval.

(d) Except as provided by subsection (e), if the board of a district desires to increase its local option budget authority above the amount authorized under subsection (c) or if the board was not authorized to adopt a local option budget in 2006-2007, the board may adopt, by resolution, such budget in an amount not to exceed the state prescribed percentage. The adoption of a resolution pursuant to this subsection shall require a majority vote of the members of the board. The resolution shall be published at least once in a newspaper having general circulation in the district. The resolution shall be published in substantial compliance with the following form:

Unified School District No. _____,

_____ County, Kansas.

RESOLUTION

Be It Resolved that:

The board of education of the above-named school district shall be authorized to adopt a local option budget in each school year in an amount not to exceed ____% of the amount of state financial aid. The local option budget authorized by this resolution may be adopted, unless a petition in opposition to the same, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 30 days after publication of this resolution. If a petition is filed, the county election officer shall submit the question of whether adoption of the local option budget shall be authorized to the electors of the school district at an election called for the purpose or at the next general election, as is specified by the board of education of the school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of unified School District No. _____, _____ County, Kansas, on the _____ day of _____, _____.

Clerk of the board of education.

All of the blanks in the resolution shall be filled as is appropriate. If a sufficient

petition is not filed, the board may adopt a local option budget. If a sufficient petition is filed, the board may notify the county election officer of the date of an election to be held to submit the question of whether adoption of a local option budget shall be authorized. Any such election shall be noticed, called and held in the manner provided by K.S.A. 10-120, and amendments thereto. If the board fails to notify the county election officer within 30 days after a sufficient petition is filed, the resolution shall be deemed abandoned and no like resolution shall be adopted by the board within the nine months following publication of the resolution.

(e) (1) Except as provided by paragraphs (2) and (3), any resolution authorizing the adoption of a local option budget in excess of 30% of the state financial aid of the district in the current school year shall not become effective unless such resolution has been submitted to and approved by a majority of the qualified electors of the school district voting at ~~an a primary or general election called and held thereon~~. The election shall be called and held in the manner provided by K.S.A. 10-120, and amendments thereto, ~~except that such election shall be a mail ballot election conducted in accordance with K.S.A. 25-431 et seq., and amendments thereto. Any such election shall be held on or before August 1 of the initial school year for which such resolution was adopted.~~

(2) For school year 2014-2015, any board of education of a school district which has adopted a local option budget in excess of 30% of state financial aid in the current school year on or before June 30, 2014, may adopt a second resolution in an amount not to exceed 2% of state financial aid, provided that the aggregate local option budget authority for the district does not exceed 33% of state financial aid in the current school year. The adoption of a second resolution pursuant to this paragraph shall require a majority vote of the members of the board and shall specifically state in such resolution that it shall expire on June 30, 2015. Such resolution shall be effective upon adoption and shall require no other procedure, authorization or approval.

(3) The board of unified school district no. 207, as described in K.S.A. 72-5333b, and amendments thereto, may adopt a local option budget in excess of 30% of state financial aid of the district in the current school year in accordance with subsection (d).

(f) Unless specifically stated otherwise in the resolution, the authority to adopt a local option budget shall be continuous and permanent. The board of any district which is authorized to adopt a local option budget may choose not to adopt such a budget or may adopt a budget in an amount less than the amount authorized. If the board of any district whose authority to adopt a local option budget is not continuous and permanent refrains from adopting a local option budget, the authority of such district to adopt a local option budget shall not be extended by such refrainment beyond the period specified in the resolution authorizing adoption of such budget.

(g) The board of any district may initiate procedures to renew or increase the authority to adopt a local option budget at any time during a school year after the tax levied pursuant to K.S.A. 72-6435, and amendments thereto, is certified to the county clerk under any existing authorization.

(h) The board of any district that is authorized to adopt a local option budget prior to the effective date of this act under a resolution which authorized the adoption of such budget in accordance with the provisions of this section in effect prior to its amendment by this act may continue to operate under such resolution for the period of time specified in the resolution or may abandon the resolution and operate under the provisions of this section as amended by this act. Any such district shall operate under

the provisions of this section as amended by this act after the period of time specified in the resolution has expired.

(i) Any resolution adopted pursuant to this section may revoke or repeal any resolution previously adopted by the board. If the resolution does not revoke or repeal previously adopted resolutions, all resolutions which are in effect shall expire on the same date. The maximum amount of the local option budget of a school district under all resolutions in effect shall not exceed the state prescribed percentage in any school year.

(j) (1) There is hereby established in every district that adopts a local option budget a fund which shall be called the supplemental general fund. The fund shall consist of all amounts deposited therein or credited thereto according to law.

(2) Subject to the limitation imposed under paragraph (3) and ~~subsection (e) of K.S.A. 72-6434(e)~~, and amendments thereto, amounts in the supplemental general fund may be expended for any purpose for which expenditures from the general fund are authorized or may be transferred to any program weighted fund or categorical fund of the district. Amounts in the supplemental general fund attributable to any percentage over 25% of state financial aid determined for the current school year may be transferred to the capital improvements fund of the district and the capital outlay fund of the district if such transfers are specified in the resolution authorizing the adoption of a local option budget in excess of 25%.

(3) Amounts in the supplemental general fund may not be expended for the purpose of making payments under any lease-purchase agreement involving the acquisition of land or buildings which is entered into pursuant to the provisions of K.S.A. 72-8225, and amendments thereto.

(4) (A) Except as provided in paragraph (B), any unexpended budget remaining in the supplemental general fund of a district at the conclusion of any school year in which a local option budget is adopted shall be maintained in such fund.

(B) If the district received supplemental general state aid in the school year, the state board shall determine the ratio of the amount of supplemental general state aid received to the amount of the local option budget of the district for the school year and multiply the total amount of the unexpended budget remaining by such ratio. An amount equal to the amount of the product shall be transferred to the general fund of the district or remitted to the state treasurer. Upon receipt of any such remittance, the state treasurer shall deposit the same in the state treasury to the credit of the state school district finance fund.

(k) Each year the state board of education shall determine the statewide average percentage of local option budgets legally adopted by school districts for the preceding school year.

(l) The provisions of this section shall be subject to the provisions of K.S.A. 2014 Supp. 72-6433d, and amendments thereto.";

Also on page 50, in line 43, after "2-623," by inserting "10-120, 12-138, 12-6a15,";

On page 51, in line 8, after "13-1221," by inserting "19-117,"; in line 11, after "25-3503," by inserting "68-438,"; in line 13, after "2-624," by inserting "12-1737, 19-15,116,"; in line 15, by striking "and" and inserting a comma; also in line 15, after "42-706" by inserting "and 72-6433";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "2-623," by inserting "10-120, 12-138, 12-

6a15,"; also in line 2, after "13-1221," by inserting "19-117,"; in line 6, after "25-3503," by inserting "68-438,"; in line 8, after "2-624," by inserting "12-1737, 19-15,116,"; in line 10, by striking the first "and" and inserting a comma; also in line 10, after "42-706" by inserting "and 72-6433"

Sub SB 171 be further amended by motion of Senator Pettey, on page 3, in line 19, by striking "90" and inserting "365"

Upon the showing of five hands a roll call vote was requested:

On roll call, the vote was: Yeas 21; Nays 19; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Bowers, Faust-Goudeau, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, LaTurner, Longbine, Love, McGinn, Petersen, Pettey, Pyle, Schmidt, Tyson, Wolf.

Nays: Arpke, Baumgardner, Bruce, Denning, Donovan, Fitzgerald, King, Knox, Lynn, Masterson, Melcher, O'Donnell, Olson, Ostmeyer, Pilcher-Cook, Powell, Smith, Wagle, Wilborn.

The motion was adopted.

Sub SB 171 be further amended by motion of Senator Schmidt, on page 32, by striking all in lines 42 and 43;

On page 33, by striking all in lines 1 through 26;

On page 51, in line 10, by striking "25-2022, 25-2023,";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, by striking "25-2022, 25-2023,"

Sub SB 171 be further amended by motion of Senator Francisco, on page 39, in line 4, by striking "two persons under"; in line 5, by striking "the age of 18 may be appointed to each election board" and inserting " $\frac{1}{3}$ of the persons appointed to each election board may be under the age of 18"

Sub SB 171 be further amended by motion of Senator Haley, on page 50, following line 42, by inserting:

"New Sec. 61. (a) The purpose of this section is to provide an orderly and prompt means of filling vacancies in the governing body of a municipality. Prolonged vacancies in the governing body of a municipality deprive citizens of their right to representation and act as impediments to the orderly function of government of municipalities.

(b) As used in this section, the following terms are defined as follows:

(1) "Governing body" shall include the mayor and members of the council, the mayor and commissioners or the chairperson and members of the board of supervisors, depending on the form of government of the city or the consolidated city and county.

(2) "Municipality" means any city or any consolidated city and county.

(c) Except as provided in subsection (d), the governing body of any municipality where a vacancy exists shall appoint, by a majority vote of the remaining members, a person to fill the vacancy within 60 days of the vacancy. If the appointment is not made within the 60-day time frame, the governing body shall pass a resolution calling for a special election to fill such vacancy to be held within 45 days of the passage of such resolution. Candidates for the vacant office shall file for such office as provided in K.S.A. 25-2110a, and amendments thereto. The special election shall be conducted by the county election officer. The candidate receiving the highest number of votes for the vacant position shall assume such office upon certification of the election results.

(d) The provisions of subsection (c) shall not apply to any municipality which has a

procedure for filling vacancies in its governing body and which has filled such vacancies within 60 days of the vacancy.

Sec. 62. K.S.A. 12-344 is hereby amended to read as follows: 12-344. (a) Any plan submitted by the commission shall provide for the exercise of powers of local legislation and administration not inconsistent with the constitution or other laws of this state.

(b) If the commission submits a plan providing for the consolidation of certain city and county offices, functions, services and operations, the plan shall:

(1) Include a description of the form, structure, functions, powers and officers and the duties of such officers recommended in the plan-;

(2) provide for the method of amendment of the plan-;

(3) authorize the appointment of, or elimination of elective officials and offices-;

(4) specify the effective date of the consolidation-; and

(5) include other provisions determined necessary by the commission.

(c) If the plan provides for the consolidation of the city and county, in addition to the requirements of subsection (b), the plan shall:

(1) Fix the boundaries of the governing body's election districts, provide a method for changing the boundaries from time-to-time, any at-large positions on the governing body, fix the number, term and initial compensation of the governing body of the consolidated city-county and the method of election-;

(2) determine whether elections of the governing body of the consolidated city-county shall be partisan or nonpartisan elections and the time at which such elections shall be held-;

(3) determine the distribution of legislative and administrative duties of the consolidated city-county officials, provide for consolidation or expansion of services as necessary, authorize the appointment of a consolidated city-county administrator or a city-county manager, if deemed advisable, and prescribe the general structure of the consolidated city-county government-;

(4) provide for the official name of the consolidated city-county-; and

(5) provide for the transfer or other disposition of property and other rights, claims and assets of the county and city.

(d) Vacancies in the governing body shall be filled as provided in section 1, and amendments thereto.

Sec. 63. K.S.A. 2014 Supp. 12-363 is hereby amended to read as follows: 12-363. (a) Any plan submitted by the commission shall provide for the exercise of powers of local legislation and administration not inconsistent with the constitution or other laws of this state.

(b) If the commission submits a plan providing for the unification of certain city and county offices, functions, services and operations, the plan shall:

(1) Include a description of the form, structure, functions, powers and officers and the duties of such officers recommended in the plan-;

(2) provide for the method of amendment of the plan-;

(3) specify the effective date of the unification-; and

(4) include other provisions determined necessary by the commission.

(c) If the plan provides for the unification of the city and county, in addition to the requirements of subsection (b), the plan shall:

(1) Provide that the members of the governing body be elected from districts or on

an at-large basis and fix the number, term and initial compensation of the governing body of the unified city-county and the method of election-;

(2) determine whether elections of the governing body of the unified city-county shall be partisan or nonpartisan elections and the time at which such elections shall be held-;

(3) determine the distribution of legislative and administrative duties of the unified city-county officials, provide for unification or expansion of services as necessary, authorize the appointment of a city-county administrator or manager, if deemed advisable, and prescribe the general structure of the unified city-county government-;

(4) provide for the official name of the unified city-county-;

(5) provide for the transfer or other disposition of property and other rights, claims and assets of the county and city-; and

(6) fix the rate of the retailers' sales tax, if any.

(d) Vacancies in the governing body shall be filled as provided in section 1, and amendments thereto.;

Also on page 50, in line 43, after "2-623," by inserting "12-344,";

On page 51, in line 13, after "2-624," by inserting "12-363,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "2-623," by inserting "12-344,"; in line 8, after "2-624," by inserting "12-363,"

Sub SB 171 be further amended by motion of Senator Francisco, on page 1, in line 29, after "(b)" by inserting "(1)";

Also on page 1, following line 33, by inserting:

"(2) The term of members of governing bodies and other elected officials of any municipality

that have been elected to four-year terms and which would expire at any time in 2019 shall expire on

the second Monday in January of 2020, when newly elected members of the governing body and other

newly elected officials shall take office." and **Sub SB 171** be passed as further amended.

A motion by Senator LaTurner to amend **Sub SB 171** failed.

SB 97 be amended by the adoption of the committee amendments, be further amended by motion of Senator Kerschen, on page 2, in line 3, after the second comma by inserting "cheetahs"; following line 24, by inserting:

"(i) "Control" means keeping an animal in a harness and connected to a leash."

SB 97 be further amended by motion of Senator Kerschen, on page 2, in line 3, after the second comma by inserting "cheetahs"; following line 24, by inserting:

"(i) "Control" means keeping an animal in a harness and connected to a leash.";

On page 3, in line 7, by striking "25" and inserting "10"

SB 97 be further amended by motion of Senator Abrams, on page 3, following line 24, by inserting:

"(5) Before a member of the public handles or otherwise comes into physical contact with a dangerous regulated animal weighing between 10 and 40 pounds, not including bears or any hybrid thereof and non-native venomous snakes, such member of the public shall read and sign a statement that shall contain substantially the following:

"The handling or petting of a dangerous regulated animal is inherently dangerous and

may result in scratches, bites or other injuries.'" and **SB 97** be passed as further amended.

SB 136 be amended by the adoption of the committee amendments, be further amended by motion of Senator Abrams, on page 4, in line 33, before the first "and" by inserting ", hours and amounts of work"

SB 136 be further amended by motion of Senator Arpke, on page 2, in line 40, after the stricken material by inserting "(A)";

On page 3, in line 20, before "and" by inserting "vacation allowance, holiday, sick, extended, sabbatical and other leave, and number of holidays; retirement; insurance benefits; wearing apparel; pay for overtime; jury duty; grievance procedure, including binding arbitration of grievances; disciplinary procedure; resignations; termination and nonrenewal of contracts; reemployment of professional employees; terms and form of the individual professional employee contract; probationary period; professional employee appraisal procedures; each of the foregoing being a term and condition of professional service, regardless of its impact on the employee or on the operation of the educational system; (B) matters which relate to privileges to be granted the recognized professional employees' organization, including, but not limited to, voluntary payroll deductions; dissemination of information regarding the professional negotiation process and related matters to members of the bargaining unit on school or college premises through direct contact with members of the bargaining unit; reasonable leaves of absence for members of the bargaining unit for organizational purposes, such as engaging in professional negotiation and partaking of instructional programs properly related to the representation of the bargaining unit; any of the foregoing privileges which are granted the recognized professional employees' organization through the professional negotiation process shall not be granted to any other professional employees' organization;"

Also on page 3, in line 20, before "such" by inserting "(C)";

On page 4, by striking all in line 33; in line 34, by striking all before the period and inserting "and hours and amounts of work. In addition, each party may select not more than three additional terms and conditions of professional service from the list described in K.S.A. 72-5413(l)(1), and amendments thereto, for negotiation. All other terms and conditions of professional service described in K.S.A. 72-5413(l)(1), and amendments thereto, shall be deemed permissive topics for negotiation and shall only be negotiated upon the mutual agreement of the parties" and **SB 136** passed as further amended.

A motion by Senator Fitzgerald to amend **SB 136** was withdrawn.

SB 159 be amended by the adoption of the committee amendments,

A ruling of the chair was requested as to the germaneness of the amendment. The chair ruled the amendment was germane to the bill.

SB 159 be further amended by motion of Senator Pilcher-Cook, on page 1, following line 6, by inserting:

"New Section 1. Sections 1 through 6, and amendments thereto, shall be known and may be cited as the safe families act.

New Sec. 2. As used in the safe families act:

(a) "Attorney in fact" shall have the same meaning as defined in K.S.A. 58-651, and amendments thereto.

(b) "Serving parent" means a parent who is a member of the reserves of the army, navy, air force, marine corps or coast guard of the United States or the commissioned

corps of the national oceanic and atmospheric administration or the public health service of the United States department of health and human services detailed by proper authority for duty with the army or navy of the United States, or who is required to enter or serve in the active military service of the United States under a call or order of the president of the United States or to serve on state active duty.

New Sec. 3. (a) A parent or legal custodian of a child may by a properly executed power of attorney provided in section 4, and amendments thereto, delegate to another person known as the attorney in fact, for a period not to exceed one year, except as provided in subsection (f), any of the powers regarding the care and custody of the child, except the power to consent to marriage or adoption of the child, the performance or inducement of an abortion on or for the child, or the termination of parental rights to the child. A delegation of powers under this section shall not deprive the parent or legal custodian of any parental or legal authority regarding the care and custody of the child.

(b) The parent or legal custodian of the child shall have the authority to revoke or withdraw the power of attorney authorized by subsection (a) at any time. Except as provided in subsection (f), if the delegation of authority lasts longer than one year, the parent or legal custodian of the child shall execute a new power of attorney for each additional year that the delegation exists. If a parent withdraws or revokes the power of attorney the child shall be returned to the custody of the parents as soon as reasonably possible.

(c) Unless the authority is revoked or withdrawn by the parent the attorney in fact shall exercise parental or legal authority on a continuous basis without compensation for the duration of the power of attorney authorized by subsection (a) and shall not be subject to any laws or rules or regulations dealing with the licensing or regulation of foster care homes.

(d) Except as otherwise provided by law, the execution of a power of attorney by a parent or legal custodian, as authorized in subsection (a), shall not constitute abandonment, abuse or neglect as defined in K.S.A. 38-2202, and amendments thereto, unless the parent or legal custodian fails to take custody of the child or execute a new power of attorney after the one-year time limit has elapsed.

(e) Under a delegation of powers as authorized by subsection (a), the child or children subject to the power of attorney shall not be considered as placed in foster care and the parties shall not be subject to any of the requirements or licensing laws, rules or regulations for foster care or other regulations relating to community care for children.

(f) A serving parent may delegate the power designated in subsection (a) for a period longer than one year if on active duty service. The term of delegation, however, may not exceed the term of active duty service plus 30 days.

New Sec. 4. (a) The following statutory form of power of attorney to delegate parental or legal authority as authorized by section 3, and amendments thereto, is legally sufficient:

Statutory Form for Power of Attorney to Delegate Parental or Legal Custodian Powers

1. "I certify that I am the parent or legal custodian of:

(Full name of minor child)

(Date of birth)

(Full name of minor child)

(Date of birth)

(Full name of minor child) (Date of birth)"

2. "I designate _____
(Full name of Attorney in fact),

(Street address, city, state and zip code of Attorney in fact)

(Home phone of Attorney in fact) (Work phone of Attorney in fact)
as the attorney in fact of each minor child named above."

3. "I delegate to the attorney in fact all of my power and authority regarding the care, custody and property of each minor child named above, including, but not limited to, the right to enroll the child in school, inspect and obtain copies of education records and other records concerning the child, the right to attend school activities and other functions concerning the child, and the right to give or withhold any consent or waiver with respect to school activities, medical and dental treatment, and any other activity, function or treatment that may concern the child. This delegation shall not include the power or authority to consent to marriage or adoption of the child, the performance or inducement of an abortion on or for the child, or the termination of parental rights to the child." or

4. "I delegate to the attorney in fact the following specific powers and responsibilities (write in): _____
(In the event paragraph 4 is completed paragraph 3 does not apply).

This delegation shall not include the power or authority to consent to marriage or adoption of the child, the performance or inducement of an abortion on or for the child, or the termination of parental rights to the child."

5. "This power of attorney is effective for a period not to exceed one year, beginning _____, 20__, and ending _____, 20__. I reserve the right to revoke this authority at any time."

6." I am a serving parent as defined in the safe families act. My active duty is estimated to be completed on _____. I acknowledge that in no event may this delegation of power last more than one year or the term on my active duty plus 30 days, whichever is longer.

By: _____
(Parent/Legal Custodian signature)"

7. "I hereby accept my designation as attorney in fact for

(Minor child(ren)) as specified in this power of attorney.

(Attorney in fact signature)

State of _____
County of _____

ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public, in and for _____
County and this State on this ____ day of _____, 20__, personally appeared

(Name of Parent/Legal Custodian) and

(Name of Attorney in fact), to me known to be the identical persons who executed this instrument and acknowledged to me that each

executed the same of such person's free and voluntary act and deed for the uses and purposes set forth in the instrument.

Witness my hand and official seal the day and year above written.

(Signature of notarial officer)

(Seal, if any) and **SB 159** be passed as further amended.

SB 180 be amended by the adoption of the committee amendments, be further amended by motion of Senator Denning, on page 2, in line 4, by striking "2016" and inserting "2017"; in line 19, by striking "2016" and inserting "2017";

On page 3, in line 7, by striking "2016" and inserting "2017" and **SB 180** be passed as further amended.

SB 181 be amended by the adoption of the committee amendments, and further amended by motion of Senator Pilcher-Cook, on page 4, in line 8, by striking "make" and inserting "implement"; in line 9, after "utilization" by inserting "review"; in line 12, after "federal" by inserting "food and" **SB 181** be passed as further amended.

A motion by Senator Haley to amend **SB 181** failed.

SB 197 be amended by the adoption of the committee amendments, and further amended by motion of Senator King, on page 5, in line 28, after "(b)" by inserting "(1)"; also on page 5, following line 30, by inserting:

"(2) Except as provided further, the commission shall not recess for a closed or executive meeting for any purpose. The commission, in accordance with K.S.A. 75-4319, and amendments thereto, may recess for a closed or executive meeting only for the purpose of discussing sensitive financial information contained within the personal financial records or official background check of a candidate for judicial nomination.

(3) Nothing in this subsection shall be construed to supersede the commission's discretion to close a record or portion of a record submitted to the commission pursuant to any applicable exception to public disclosure under the open records act.;"

On page 10, in line 21, after "(e)" by inserting "(1)"; also on page 10, following line 23, by inserting:

"(2) Except as provided further, the commission shall not recess for a closed or executive meeting for any purpose. The commission, in accordance with K.S.A. 75-4319, and amendments thereto, may recess for a closed or executive meeting only for the purpose of discussing sensitive financial information contained within the personal financial records or official background check of a candidate for judicial nomination.

(3) Nothing in this subsection shall be construed to supersede the commission's discretion to close a record or portion of a record submitted to the commission pursuant to any applicable exception to public disclosure under the open records act."

SB 197 be further amended by motion of Senator Hensley, , on page 10, following line 23, by inserting:

"Sec. 11. K.S.A. 2014 Supp. 20-3020 is hereby amended to read as follows: 20-3020. (a) (1) On and after July 1, 2013, any vacancy occurring in the office of any judge of the court of appeals and any position to be open on the court of appeals as a result of enlargement of such court, or the retirement or failure of an incumbent to file such judge's declaration of candidacy to be retained in office as hereinafter required, or failure of a judge to be elected to be retained in office, shall be filled by appointment by the governor, with the consent of the senate, of a person possessing the qualifications of office.

(2) Whenever a vacancy occurs, will occur or position opens on the court of appeals, the clerk of the supreme court shall promptly give notice to the governor.

(3) If the governor is making an appointment to the court of appeals, the governor shall make each applicant's name and city of residence available to the public whenever the governor stops accepting applications for such appointment, but not less than 10 days prior to making such appointment.

(4) In event of the failure of the governor to make the appointment within 60 days from the date such vacancy occurred or position became open, the chief justice of the supreme court, with the consent of the senate, shall make the appointment of a person possessing the qualifications of office.

(5) If the chief justice of the supreme court is making an appointment to the court of appeals, the chief justice shall make each applicant's name and city of residence available to the public whenever the chief justice stops accepting applications for such appointment, but not less than 10 days prior to making such appointment.

(4)(6) Whenever a vacancy in the office of judge of the court of appeals exists at the time the appointment to fill such vacancy is made pursuant to this section, the appointment shall be effective at the time it is made, but where an appointment is made pursuant to this section to fill a vacancy which will occur at a future date, such appointment shall not take effect until such date.

(b) No person appointed pursuant to subsection (a) shall assume the office of judge of the court of appeals until the senate, by an affirmative vote of the majority of all members of the senate then elected or appointed and qualified, consents to such appointment. The senate shall vote to consent to any such appointment not later than 60 days after such appointment is received by the senate. If the senate is not in session and will not be in session within the 60-day time limitation, the senate shall vote to consent to any such appointment not later than 20 days after the senate begins its next session. In the event a majority of the senate does not vote to consent to the appointment, the governor, within 60 days after the senate vote on the previous appointee, shall appoint another person possessing the qualifications of office and such subsequent appointment shall be considered by the senate in the same procedure as provided in this section. The same appointment and consent procedure shall be followed until a valid appointment has been made. No person who has been previously appointed but did not receive the consent of the senate shall be appointed again for the same vacancy. If the senate fails to vote on an appointment within the time limitation imposed by this subsection, the senate shall be deemed to have given consent to such appointment.

(c) Persons who are appointed as judges of the court of appeals pursuant to K.S.A. 20-3005, prior to its repeal, and this section, shall commence the duties of office upon appointment and consent, and each judge shall have all the rights, privileges, powers and duties prescribed by law for the office of judge of the court of appeals.

(d) Judges of the court of appeals shall possess the qualifications prescribed by law for justices of the supreme court.;"

Also on page 10, in line 31, after "7-127" by inserting "and 20-3020";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "act;" by inserting "appointment of court of appeals judges; public information,;" in line 6, after "7-127" by inserting "and 20-3020" and **SB 197** be passed as further amended.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Bruce an emergency was declared by a 2/3 constitutional majority, and **SB 12, Sub SB 18, SB 73, SB 91, SB 97, SB 112, SB 113, SB 126, SB 127, SB 128, SB 136, SB 142, SB 149, SB 154, SB 156, SB 157, SB 159, SB 168, Sub SB 171, SB 180, SB 181, SB 183, SB 189, SB 190, SB 197, SB 206, SB 215, SB 227, SB 228** and **SB 240** were advanced to Final Action and roll call.

SB 12, AN ACT concerning crimes and punishment; relating to battery; amending K.S.A. 2014 Supp. 21-5413 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed, as amended.

Sub SB 18, AN ACT concerning law enforcement; relating to audio and video recordings; confidential and exempt from open records act.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The substitute bill passed.

SB 73, AN ACT concerning motor vehicles; relating to definitions; amending K.S.A. 2014 Supp. 8-126, 8-1402a and 8-1493 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed.

SB 91, AN ACT concerning oil and gas; relating to the abandoned oil and gas well fund, extension; amending K.S.A. 2014 Supp. 55-193 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice-President: I believe that the program administered by the Kansas Corporation Commission to plug abandoned oil and gas wells should be continued and support the extension of the sunset of transfers of funds to the Abandoned Oil and Gas Well Fund. I also very much support the changes for those transfers set out in this bill that replace the transfer of \$400,000 a year from the State Water Plan Fund with an increased transfer from the Conservation Fee Fund. As the legislature is not providing the statutorily mandated funds to the State Water Plan, it makes sense to stop diverting State Water Plan funds. I vote "Aye" on **SB 91**.—MARC FRANCISCO

SB 97, AN ACT concerning animals; relating to contact with dangerous regulated animals; amending K.S.A. 2014 Supp. 32-1301, 32-1306 and 32-1308 and repealing the existing sections.

On roll call, the vote was: Yeas 23; Nays 17; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Bowers, Bruce, Donovan, Faust-Goudeau, Holmes, Kerschen, LaTurner, Longbine, Love, Lynn, Masterson, Melcher, O'Donnell, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Tyson, Wagle, Wilborn.

Nays: Baumgardner, Denning, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Kelly, King, Knox, McGinn, Olson, Pyle, Schmidt, Smith, Wolf.

The bill passed, as amended.

EXPLANATION OF VOTE

Madam President: Renowned animal expert Jack Hanna, who was referenced as a supporter of **SB 97** in the debate, was not in the Natural Resources committee. However, he is on record in a newspaper article. He said, "Wild animals are just that — wild — and they can go off at any time. Something might happen some day at some zoo. We've done everything we can do to avoid it, (but) to say something will never happen again is impossible." IT will happen, and this bill would make it easier to occur. I won't be responsible for inflicting that kind of pain on a family. I know what that kind of loss feels like and I would not wish it on my worst enemy. I vote "No" on **SB 97**.—

GREG SMITH

Senator Olson requests the record to show he concurs with the "Explanation of Vote" offered by Senator Smith on **SB 97**.

SB 112, AN ACT concerning wildlife, parks and tourism; relating to citations; amending K.S.A. 2014 Supp. 32-1049 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed, as amended.

SB 113, AN ACT concerning the department of wildlife, parks and tourism; relating

to licenses, permits, stamps and other issues of the department; amending K.S.A. 2014 Supp. 32-1001 and 32-1041 and repealing the existing sections.

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

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

Nays: LaTurner.

The bill passed.

SB 126, AN ACT concerning motor vehicles; relating to commercial driver's licenses; examination fees; commercial driver's license drive test fee fund; amending K.S.A. 2014 Supp. 8-240 and repealing the existing section.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Powell, Schmidt, Smith, Wagle, Wilborn, Wolf.

Nays: Denning, LaTurner, Pilcher-Cook, Pyle, Tyson.

The bill passed.

SB 127, AN ACT concerning memorial highways; relating to signage; requiring the secretary of transportation to collect sufficient funds prior to installation; designating the 2nd Lieutenant Justin L Sisson memorial highway, the George Ablah expressway and the Kenneth W Bernard memorial highway; amending K.S.A. 68-1034 and K.S.A. 2014 Supp. 68-10,106 and repealing the existing sections.

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

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

Nays: LaTurner.

The bill passed, as amended.

SB 128, AN ACT concerning the Kansas open records act; relating to municipal judges; city attorneys; amending K.S.A. 2014 Supp. 45-221 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed, as amended.

SB 136, AN ACT concerning school districts; relating to the professional negotiations act; amending K.S.A. 72-5423 and K.S.A. 2014 Supp. 72-5413 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed, as amended.

SB 142, AN ACT concerning programs for all-inclusive care for the elderly; amending K.S.A. 2014 Supp. 39-923 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed.

SB 149, AN ACT concerning civil commitment of sexually violent predators; amending K.S.A. 59-29a01, 59-29a03 and 59-29a10 and K.S.A. 2014 Supp. 59-2401a, 59-29a04, 59-29a04a, 59-29a05, 59-29a06, 59-29a07, 59-29a08, 59-29a11, 59-29a22, 59-29a23, 59-29a24 and 77-603 and repealing the existing sections; also repealing K.S.A. 59-29a18.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: I have heard from many constituents about concerns with the sexual predator treatment program and wondering why we are passing this measure before the Post Audit Report has been released. Upon further research, and assurance by my Chairman, this bill does not affect the measures that are remaining in the Post Audit Report to be released in April. We will have legislative opportunity to address those concerns later. I vote "Aye" on **SB 149**.—MIKE PETERSEN

SB 154, AN ACT concerning employment security law; relating to determination of benefits; employer classification and rates; amending K.S.A. 2014 Supp. 44-704, 44-710a and 44-757 and repealing the existing sections.

On roll call, the vote was: Yeas 35; Nays 4; Present and Passing 1; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Fitzgerald, Hawk, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

Nays: Faust-Goudeau, Haley, Hensley, Holland.

Present and Passing: Francisco.

The bill passed, as amended.

SB 156, AN ACT concerning water; relating to the Arkansas river gaging fund; amending K.S.A. 2014 Supp. 74-5,133 and repealing the existing section.

On roll call, the vote was: Yeas 37; Nays 3; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Smith, Tyson, Wagle, Wilborn, Wolf.

Nays: McGinn, Pyle, Schmidt.

The bill passed, as amended.

SB 157, AN ACT concerning the revised Kansas code for care of children; relating to medicating a child; amending K.S.A. 2014 Supp. 38-2201 and repealing the existing section.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Smith, Tyson, Wagle, Wilborn, Wolf.

Nays: Longbine, Schmidt.

The bill passed.

SB 159, AN ACT concerning children; enacting the safe families act; relating to when law enforcement officers shall take a child into custody; amending K.S.A. 2014 Supp. 38-2231 and repealing the existing section.

On roll call, the vote was: Yeas 30; Nays 4; Present and Passing 6; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Fitzgerald, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, Melcher, Olson, Ostmeyer, Petersen, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn.

Nays: Faust-Goudeau, Haley, Hensley, Holland.

Present and Passing: Francisco, Hawk, McGinn, O'Donnell, Pettey, Wolf.

The bill passed, as amended.

SB 168, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; revenue bonds to finance a portion of unfunded actuarial liability of KPERS; requirements and procedures; employer contribution rates; amending K.S.A. 2014 Supp. 74-4914d and 74-4920 and repealing the existing sections.

On roll call, the vote was: Yeas 21; Nays 17; Present and Passing 2; Absent or Not Voting 0.

Yeas: Bowers, Bruce, Denning, Donovan, Fitzgerald, Holmes, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, Melcher, Ostmeyer, Petersen, Powell, Smith, Wagle, Wilborn.

Nays: Abrams, Arpke, Baumgardner, Faust-Goudeau, Haley, Hawk, Hensley, Holland, Kelly, McGinn, Olson, Pettey, Pilcher-Cook, Pyle, Schmidt, Tyson, Wolf.

Present and Passing: Francisco, O'Donnell.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: Over the last several decades past legislatures have made many changes to our defined benefit retirement system, some steps forward and some back, all attempts to improve either benefits or its funding status. In more recent years we have taken some bolder steps in attempt to more aggressively tackle our long term liability; however a multi-billion dollar liability still looms for years to come. Refinancing a portion of that liability can be a beneficial tool, especially in the current rate climate, but until we ultimately get out of the business of a defined benefit model, a model that puts our taxpayers on the line insuring certain returns for some at the expense of others and can rob employees and families of access to their own retirement dollars, we will continue to "fix" things in perpetuity. Even our current fix balloons our annual SGF expenditures for KPERs to a billion dollars in a single year before any hope of trending down. I only vote for **SB 168** because I believe it's a step in the right direction making our system more viable and increases our chances of finding a market based solution that is better for both the employees and taxpayers. I vote "Aye" on **SB 168**.—TY MASTERSON

Senators Lynn and Wagle request the record to show they concur with the "Explanation of Vote" offered by Senator Masterson on **SB 168**.

Sub SB 171, AN ACT concerning elections and voting; relating to certain municipalities and special districts; amending K.S.A. 2-623, 10-120, 12-138, 12-6a15, 13-1221, 19-117, 19-2760, 19-3505, 19-3507, 24-504, 25-204, 25-209, 25-210, 25-212, 25-610, 25-1115, 25-2006, 25-2007, 25-2010, 25-2014, 25-2017, 25-2018, 25-2022, 25-2023, 25-2107, 25-2109, 25-2113, 25-2115, 25-2120, 25-2502, 25-2804, 25-2901, 25-3503, 68-438, 71-1408, 71-1412, 71-1413, 71-1414, 71-1419, 72-8008 and 80-2508 and K.S.A. 2014 Supp. 2-624, 12-1737, 19-15,116, 24-412, 24-414, 24-459, 24-506, 25-205, 25-213, 25-611, 25-618, 25-1122, 25-2020, 25-2102, 25-2108a, 25-2110, 25-2311, 25-3801, 42-706 and 72-6433 and repealing the existing sections; also repealing K.S.A. 12-1001, 12-1002, 12-1003, 12-1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-1005e, 12-1005f, 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l, 12-1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e, 12-1036f, 12-1036g, 12-1036h, 12-1037, 12-1038, 19-2762 and 71-1417.

On roll call, the vote was: Yeas 21; Nays 18; Present and Passing 1; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bruce, Denning, Donovan, Fitzgerald, Holmes,

King, Knox, LaTurner, Lynn, Masterson, Melcher, O'Donnell, Petersen, Pilcher-Cook, Powell, Smith, Tyson, Wagle.

Nays: Bowers, Faust-Goudeau, Haley, Hawk, Hensley, Holland, Kelly, Kerschen, Longbine, Love, McGinn, Olson, Ostmeyer, Pettey, Pyle, Schmidt, Wilborn, Wolf.

Present and Passing: Francisco.

The substitute bill passed, as amended.

SB 180, AN ACT concerning health maintenance organizations; relating to the privilege fees; creating the medical assistance fee fund; amending K.S.A. 2014 Supp. 40-3213 and repealing the existing section.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Schmidt, Smith, Wagle, Wilborn, Wolf.

Nays: Pyle, Tyson.

The bill passed, as amended.

SB 181, AN ACT concerning restrictions of patient access to prescription-only drugs under medicaid; amending K.S.A. 2014 Supp. 39-7,119 and 39-7,120 and repealing the existing sections.

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

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Wagle, Wilborn, Wolf.

Nays: Tyson.

The bill passed, as amended.

SB 183, AN ACT concerning debtors of the state; relating to debts owed to courts; amending K.S.A. 75-6209 and K.S.A. 2014 Supp. 75-719, 75-6202, 75-6204 and 75-6210 and repealing the existing sections.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Fitzgerald, Francisco, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

Nays: Faust-Goudeau, Haley.

The bill passed, as amended.

SB 189, AN ACT concerning the Kansas veterinary practice act; relating to licensure; providing for an institutional license to practice veterinary medicine; amending K.S.A. 47-815, 47-817 and 47-829 and K.S.A. 2014 Supp. 47-822 and 47-830 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not

Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed.

SB 190, AN ACT concerning boating; relating to safety education courses, exemptions therefrom; certain sailboats; amending K.S.A. 32-1139 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed, as amended.

SB 197, AN ACT concerning attorneys; relating to the supreme court nominating commission and judicial district nominating commissions; selection of chairperson and members; applicability of open meetings act; attorney licensure and information; applicability of open records act; appointment of court of appeals judges; public information; amending K.S.A. 20-122, 20-123, 20-128, 20-130, 20-132, 20-2904 and 20-2907 and K.S.A. 2014 Supp. 7-127 and 20-3020 and repealing the existing sections.

On roll call, the vote was: Yeas 35; Nays 4; Present and Passing 1; Absent or Not Voting 0.

Yeas: Abrams, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Hawk, Hensley, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

Nays: Arpke, Haley, Holland, Pettey.

Present and Passing: Francisco.

The bill passed, as amended.

SB 206, AN ACT concerning public agencies; relating to the state of Kansas and local units of government; providing certain powers to the attorney general for investigation of violations of the open records act and the open meetings act; open government fund; amending K.S.A. 45-223, 45-228 and 75-4320a and K.S.A. 2014 Supp. 45-222, 75-4320 and 75-4320b and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed, as amended.

SB 215, AN ACT concerning motor vehicles; relating to registration of vehicles;

penalties, evidence of renewal; amending K.S.A. 2014 Supp. 8-142 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed, as amended.

SB 227, AN ACT concerning water; relating to local enhanced management areas; amending K.S.A. 2014 Supp. 82a-1041 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed, as amended.

SB 228, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; defining eligible employees as police; providing retroactive application; amending K.S.A. 2014 Supp. 74-4952 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed.

SB 240, AN ACT concerning the banking code; relating to the state bank commissioner; amending K.S.A. 9-519, 9-520, 9-536, 9-542, 9-701, 9-801, 9-802, 9-803, 9-804, 9-806, 9-808, 9-809, 9-811, 9-812, 9-901a, 9-902, 9-903, 9-904, 9-905, 9-906, 9-907, 9-908, 9-909, 9-910, 9-911, 9-912, 9-1101a, 9-1102, 9-1107, 9-1111b, 9-1112, 9-1116, 9-1119, 9-1122, 9-1123, 9-1124, 9-1125, 9-1127a, 9-1127b, 9-1127c, 9-1130, 9-1132, 9-1133, 9-1137, 9-1138, 9-1201, 9-1204, 9-1205, 9-1207, 9-1213, 9-1214, 9-1301, 9-1304, 9-1403, 9-1405, 9-1501, 9-1502, 9-1503, 9-1504, 9-1505, 9-1506, 9-1602, 9-1603, 9-1604, 9-1607, 9-1609, 9-1611, 9-1612, 9-1701, 9-1708, 9-1709, 9-1712, 9-1714, 9-1715, 9-1716, 9-1717, 9-1719, 9-1720, 9-1724, 9-1807, 9-1901, 9-1902, 9-1902a, 9-1903, 9-1905, 9-1906, 9-1907, 9-1908, 9-1909, 9-1910, 9-1915, 9-1916, 9-2001, 9-2002, 9-2005, 9-2006, 9-2007, 9-2008, 9-2010, 9-2011, 9-2012, 9-2013, 9-2014, 9-2016, 9-2018, 9-2101, 9-2102, 9-2103 and 9-2104 and K.S.A. 2014 Supp. 9-532, 9-533, 9-534, 9-535, 9-1101, 9-1104, 9-1111, 9-1114, 9-1140, 9-1215, 9-1401, 9-1402, 9-1407, 9-1408, 9-1601, 9-1702, 9-1703, 9-1704, 9-1713, 9-1721, 9-1722, 9-1805, 9-2004, 9-2107, 9-2108, 9-2111, 39-709 and 44-314 and

repealing the existing sections; also repealing K.S.A. 9-514, 9-515, 9-516, 9-517, 9-518, 9-523, 9-538, 9-539, 9-702, 9-703, 9-807, 9-810, 9-813, 9-1101b, 9-1103, 9-1105, 9-1106, 9-1108, 9-1109, 9-1110, 9-1111d, 9-1113, 9-1301a, 9-1507, 9-1605, 9-1606, 9-1608, 9-1610, 9-1705, 9-1710, 9-1711, 9-1718, 9-1723, 9-1802, 9-1803, 9-1808, 9-1904, 9-1912, 9-1914, 9-1914a, 9-2003, 9-2009, 9-2015, 9-2017 and 9-2105 and K.S.A. 2014 Supp. 9-805, 9-1118, 9-1135, 9-1139, 9-1216, 9-1303, 9-1706, 9-1707, 9-1801, 9-1804 and 9-2106.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn, Wolf.

The bill passed, as amended.

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **SB 141** from the Committee on **Public Health and Welfare**, and referred the bill to the Committee on **Federal and State Affairs**.

The Vice President withdrew **SB 170, SB 105, SB 133, SB 151, SB 59** from the Calendar under the heading of **General Orders**, and referred the bill to the Committee on **Federal and State Affairs**.

The Vice President withdrew **Sub SB 155** from the calendar under the heading of **General Orders** and referred the bill to the Committee on **Ways and Means**.

TRIBUTES

The Committee on **Organization, Calendar and Rules** authorizes the following tributes for the week of February 23 through February 26, 2015:

Senator Bowers: recognizing Eric Voss for his service to the Concordia Fire Department; congratulating Amy Gibson on her 100th Birthday;

Senator Faust-Godeau: recognizing Ronald Blackwell, Tammy Snow, Chad Dunham, Jose Ocadiz, Steve Schowalter, Rocky Bumgarner, Tim Carr, and Matt Schulte for their service to the Wichita Fire Department; and

Senator Kelly: congratulating Wendy Madere on receiving the 2015 Horizon Award; congratulating Jessica Otradovec on receiving the 2015 Horizon Award.

On motion of Senator Bruce, the Senate adjourned until 2:30 p.m., Wednesday, March 4, 2015.

ROSE MARIE GLATT, CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.
COREY CARNAHAN, *Secretary of the Senate*.

