

Journal of the Senate

TWENTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 19, 2020, 2:30 p.m.

The Senate was called to order by President Susan Wagle.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

An Unclogged Conduit and A Clean Mirror!
Romans 7:14-25, 1 John 1:9-10

To our Holy and Righteous God, thanks for another day, for another opportunity to be an instrument in Your Hands. Like the moon reflects the light of the sun and has no light of its own, like the light bulb has no ability to shine unless power is provided, we approach our responsibilities in dire need of Your light and Your power. For the only actual good we can achieve, requires that You do it through us. You led the Apostle to say, in Romans 7:14-25, that the good we would do we don't do, and the not so good that we would not do we do.

Lord, the Holy standards of Your Word, by contrast, reveal our flaws and our need for the forgiveness You offer in 1 John 1:9-10. We'll be facing a brand-new day and neglect to pray. We'll make a mess when we're really trying to bless. We'll postpone until tomorrow what should be done today.

So, Lord, please forgive us, and remove anything that's obstructing, blocking or clogging the conduit of our lives. Keep us clear headed enough to remain focused on You and Your expectations, rather than the undue expectations of others. As a mirror reflects whatever is in front of it, help us to reflect that You're the One in front.

Again, I thank You for the power of Your grace, mercy and forgiveness. And in Jesus' Name, I say Amen!

The Pledge of Allegiance was led by President Wagle.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 456, AN ACT concerning the sale of alcoholic liquor in retail liquor stores; relating to the start time for Sunday sales; amending K.S.A. 2019 Supp. 41-712 and repealing the existing section, by Committee on Federal and State Affairs.

SB 457, AN ACT concerning property taxation; relating to appraisal maps; land devoted to agricultural use; delineation of soil map units; amending K.S.A. 79-1459 and repealing the existing section, by Committee on Assessment and Taxation.

SB 458, AN ACT concerning the state banking board; increasing the compensation of

members; amending K.S.A. 74-3005 and repealing the existing section, by Committee on Ways and Means.

SB 459, AN ACT concerning the regulation of traffic; relating to distracted driving violation; prohibiting the use of a wireless telecommunications device while operating a motor vehicle; amending K.S.A. 2019 Supp. 8-2118 and repealing the existing section; also repealing K.S.A. 2019 Supp. 8-15,111, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Federal and State Affairs: **SB 455**.

CHANGE OF REFERENCE

An objection having been made to **SB 344** appearing on the Consent Calendar, the President directed the bill be removed and placed on the calendar under the heading of General Orders.

MESSAGES FROM THE GOVERNOR

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

LAURA KELLY
Governor

Public Member, Kansas State Banking Board, Justin Nichols, Shawnee (U), pursuant to the authority vested in me by KSA 74-3004 and effective upon the date of confirmation by the Senate, to serve a three year term expiring on March 15, 2023, to succeed Neal Bernauer, whose term expired on March 15, 2017 and who held over until a successor was appointed and qualified.

COMMUNICATIONS FROM STATE OFFICERS

The following report was submitted to the Senate and is on file with the Secretary of the Senate:

Kansas Department for Aging and Disability Services: CARE Annual Report (February 19, 2020)

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2420, HB 2448, HB 2454**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2420, HB 2448, HB 2454 were thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 265** be passed.

Also, **SB 297** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Education** recommends **SB 230** be amended on page 6, in line 35, by striking "speech impaired" and inserting "have speech and language impairments";

On page 7, in line 2, by striking "speech-impaired" and inserting "have speech and language impairments"; in line 4, by striking "speech-impaired" and inserting "have speech and language impairments"; in line 23, by striking "speech"; in line 24, by striking "impaired" and inserting "individuals that have speech and language impairments"; in line 34, by striking "speech"; in line 35, by striking "impaired" and inserting "has speech and language impairments";

On page 8, in line 10, by striking "2018 Supp."; in line 26, by striking all after "education"; by striking all in line 27; in line 28, by striking all before the semicolon and inserting ": (A) Regarding best practices in language acquisition development in deaf and hard of hearing children and aural rehabilitation options; and (B) to promote the eradication of ignorance and discrimination toward deaf and hard of hearing people in schools and employment"; in line 36, after "governor" by inserting "and legislature"; in line 39, by striking "to the governor";

On page 9, in line 13, by striking all after "administered"; in line 14, by striking all before the first "the" and inserting "by"; in line 17, after the period by inserting "The Kansas commission for the deaf and hard of hearing shall report directly to the deputy secretary or secretary."; in line 18, by striking "2018 Supp."; in line 24, after "commission" by inserting ", which shall be comparable to the salaries of executive directors of other commissions";

On page 10, in line 31, after the period by inserting "The commission shall supervise and evaluate the executive director."; in line 32, by striking "2018 Supp.";

On page 11, in line 1, by striking the first "and" and inserting a comma; also in line 1, by striking "and K.S.A. 2018 Supp." and inserting a comma;

On page 1, in the title, in line 4, by striking the first "and" and inserting a comma; also in line 4, by striking the second "and"; in line 5, by striking all before "75-5391" and inserting a comma; and the bill be passed as amended.

Also, **SB 354** be amended on page 6, in line 16, after "college" by inserting "of Kansas"; in line 17, by striking "university, Kansas City" and inserting "university-Kansas City, Overland Park";

On page 12, in line 31, by striking "or" and inserting "of"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 332** be passed.

Also, **SB 331** be amended on page 7, in line 26, after "of" by inserting a colon; also in line 26, after "officer" by inserting a comma; in line 27, by striking the second comma and inserting "; a"; also in line 27, by striking the third comma and inserting "; a"; also in line 27, by striking the fourth comma and inserting "; a"; in line 28, by striking the first comma and inserting "; a"; also in line 28, by striking the second comma and inserting "; an"; in line 29, by striking the comma and inserting "; a"; in line 30, after "officer" by inserting "; an employee of the judicial branch; a federal judge; a justice of the supreme court; a judge of the court of appeals; a district judge; a district magistrate judge; a municipal judge; an employee of a municipal court; the United States attorney for the district of Kansas; an assistant United States attorney; a special assistant United States attorney; the attorney general; an assistant attorney general; a special assistant attorney general; a county attorney; an assistant county attorney; a special assistant county attorney; a district attorney; an assistant district attorney; a

special assistant district attorney; a city attorney; an assistant city attorney; or a special assistant city attorney"; in line 37, by striking all after "(52)"; by striking all in lines 38 through 43;

On page 8, by striking all in lines 1 through 10;

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

On page 1, in the title, in line 4, after the second "officers" by inserting ", employees of the judicial branch and employees of a municipal court"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 390** be passed.

Also, **SB 267** be amended on page 1, by striking all in lines 7 through 20 and inserting:

"Section 1. K.S.A. 8-1906 is hereby amended to read as follows: 8-1906. (a) No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that:

(1) This section shall not prohibit the necessary spreading of any substance in highway maintenance or construction operations; and

(2) ~~(A)~~ subsections (a) and (c) shall not apply to:

~~(i) Trailers or semitrailers when hauling livestock if such trailers or semitrailers are properly equipped with a cleanout trap and such trap is operated in a closed position unless material is intentionally spilled when the trap is in a closed position; or~~

~~(ii) trucks, trailers or semitrailers when hauling agricultural forage commodities intrastate from the place of production to a market or place of storage. The provisions of this subsection (a)(2)(A)(ii) shall not apply to trucks, trailers or semitrailers hauling:~~

~~(a) Hay bales; or~~

~~(b) other packaged or bundled forage commodities.~~

~~(B) Paragraph (2)(A)(i) shall not apply to trailers or semitrailers used for hauling livestock when livestock are not being hauled in such trailers or semitrailers.~~

(b) All trailers or semitrailers used for hauling livestock shall be cleaned out periodically.

(c) No person shall operate on any highway any vehicle with any load unless such load and any covering thereon is securely fastened so as to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the highway.";

Also on page 1, in line 21, by striking "2019 Supp. 8-2116" and inserting "8-1906";

Also on page 1, in the title, in line 1, by striking all after "to"; in line 2, by striking "violation of"; also in line 2, by striking "classifying violations of" and inserting "exempting the transport of agricultural forage commodities from"; in line 3, by striking "as a traffic infraction"; also in line 3, by striking "2019 Supp. 8-"; in line 4, by striking "2116" and inserting "8-1906"; and the bill be passed as amended.

On motion of Senator Denning, the Senate adjourned until 2:30 p.m., Thursday, February 20, 2020.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

